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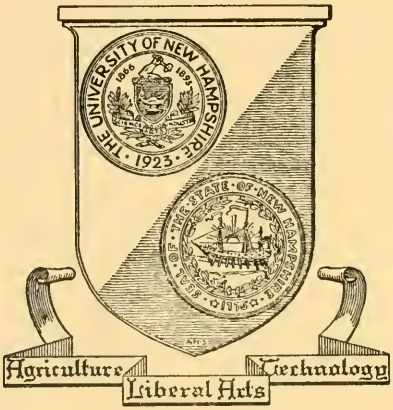

The University
of
New Hampshire

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

JANUARY SESSION OF 1953

EVANS PRINTING COMPANY, INC.
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JOURNAL

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HOUSE OF REPRESENTATIVES

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WEDNESDAY, January 7, 1953

On the first Wednesday in January, the year of our Lord one thousand nine hundred and fifty-three, being the day designated by the constitution for the assembling of that body, the one hundred and thirty-third General Court of the State of New Hampshire, convened at the Capitol in the City of Concord, and the representatives elect were called to order by Robert L. Stark, Assistant Clerk of the House for the preceding session.

The acting clerk proceeded to call the roll, and 390 members answering to their names, a quorum was declared present.

On motion of Mr. Downes of Conway:

Resolved, That a committee of three be appointed by the clerk to wait upon His Excellency the Governor, and inform him that a quorum of the House is assembled, and requests his attendance.

The Clerk appointed Messrs. Tilton of Laconia, Dort of Chesterfield, and Mrs. St. Pierre of Rochester.

His Excellency the Governor, having been informed that a quorum of the House was assembled, appeared, and the following named ladies and gentlemen, having presented their credentials, were duly qualified by His Excellency as members of the House of Representatives by taking and subscribing to the oaths of office agreeably to the provisions of the Constitution.

ROCKINGHAM COUNTY

Atkinson	Lillian R. Brock
Auburn	Margaret A. Griffin
Brentwood	John H. Dudley
Candia	Mary A. Wastcoat
Chester	Robert C. Hazelton
Derry	Ernest P. Barka
	Harry E. Clark
	William B. Cushing
	Oliver H. Hepworth
Epping	D. Watson Ladd
Exeter	Emory P. Eldredge
	Albert R. McReel
	James C. Rathbone
	Maude B. Richards
Fremont	Harold L. Jones
Greenland	Thornton N. Weeks, Sr.
Hampstead	Doris M. Spollett
Hampton	Dean B. Merrill
	Donald Allan Ring
Hampton Falls	James H. Thurlow
Kensington	Charles R. Eastman
Kingston	Roy L. Merrill*
Londonderry	Draper W. Parmenter
New Castle	Thomas F. McCaffrey
Newfields	Thomas R. Sheehy
Newington	John E. Holden
Newmarket	Arthur A. Labranche
	F. Albert Sewall
Newton	Henry G. Wells
North Hampton	George G. Carter
Northwood	Ernest L. Pinkham
Nottingham	Arthur W. McDaniel
Plaistow	Hans G. Seel
Portsmouth	
Ward 1	Andrew J. Barrett
	Hilda Hundley
	Lise L. Payette
	Ann A. Sadler
	D. Richard Zoffoli
Ward 2	Harry H. Foote
	Henry S. Murch, Jr.

	John H. Yeaton
Ward 3	James J. Joyce
	John J. Leary
	William J. Wardwell
Ward 4	Thurston A. Smart
Ward 5	Edward J. Ingraham
Raymond	Frank J. Mafera
Rye	Manning H. Philbrick
Salem	Walter F. Haigh
	Anna M. Noyes
	Leonard B. Peever
Seabrook	William H. Durkee
Stratham	W. Douglas Scamman
Windham	.Thomas Waterhouse Jr.

STRAFFORD COUNTY

Barrington	Roy V. Swain
Dover	
Ward 1	Raymond H. Chase
	Thomas H. Keenan
	Max W. Leighton
Ward 2	Frank J. Grimes
	Joseph Marcotte, Jr.
Ward 3	Carroll E. Fellows
	Charles W. Webb
Ward 4	William H. Connell
	Harley A. Crandall
	Charles H. Locke
Ward 5	Emmet J. Flanagan
Durham	Helen C. Funkhouser
	Albert D. Littlehale
	William M. Stearns
Farmington	Carl C. Blanchard*
	Ned L. Parker*
Madbury	Leeman B. Wormhood
Milton	John E. Horne
New Durham	William H. Nehring
Rochester	
Ward 1	Ernest L. Rolfe
Ward 2	Fred Maxfield
	Albert Nelson
Ward 3	Edgar J. Carignan

Ward 4	Alphonse Lacasse
	Angeline St. Pierre
Ward 5	Norma M. Studley
Ward 6	Arnold T. Clement
	Llewellyn F. Fernald
Rollinsford	Fred L. Green
Somersworth	
Ward 1	Placide J. Lagueux
Ward 2	Edward G. Letourneau
Ward 3	Victor Charpentier
Ward 4	John F. Beamis
Ward 5	James F. Malley
Strafford	Albert H. Brown

BELKNAP COUNTY

Alton	Frederick M. Perkins
Barnstead	Arthur H. McAllister
Belmont	Charles W. Roeder
Center Harbor	Clarence E. Nichols
Gilford	Edith B. Gardner
Gilmanton	William T. Robertson
Laconia	
Ward 1	Myron B. Hart
	Deloria L. Stafford
Ward 2	Aime H. Morin
	Alfred W. Simoneau
Ward 3	Elmer S. Tilton
Ward 4	Oscar L. Hoyt
	Peter S. Karagianis
Ward 5	Henry I. Burbank
	David O'Shan
Ward 6	John F. Brown
	George W. Varrell
Meredith	Walter D. Kipp
	Joseph F. Smith
New Hampton	Archibald H. Matthews
Sanbornton	Marion H. Atwood
Tilton	Warren F. Metcalf

CARROLL COUNTY

Bartlett	Fred H. Washburn
Conway	Mellen B. Benson

	Elmer H. Downs
	Leslie C. Hill
Eaton	Allan S. Kenneson*
Hart's Location	Florence P. Morey
Jackson	Arthur P. Gale
Moultonborough	Parker S. Kimball
Ossipee	Marcus E. Diffenderfer
Sandwich	Reuben N. Hodge
Tamworth	George R. Nickerson, Sr.
Tuftonboro	Forrest W. Hodgdon
Wakefield	Clarence E. Peaslee
Wolfeboro	John H. Clow
	Joseph P. Ford

MERRIMACK COUNTY

Allenstown	Laurier Baron
Andover	Thomas A. Hyde
Boscawen	Harold L. Holmes
Bow	Carrol W. Flanders
Bradford	Reuben S. Moore
Canterbury	Albert A. Vogel
Chichester	Shirley A. Marden
Concord	
Ward 1	Fred M. Dodge
	James P. Ferrin
Ward 2	Clarence I. Tebbetts
Ward 3	Francis E. Perkins
Ward 4	Lee C. Hancock
	James H. Hayes
	Sara E. Otis
Ward 5	Clarence Lessels
	Raymond K. Perkins
Ward 6	George H. Corbett
	Guy Jewett
	Herbert W. Rainie
	Gertrude E. Saltmarsh
Ward 7	John E. Bunten
	G. Carroll Cilley
	Paul B. Maxham
	Shelby O. Walker
Ward 8	Victoria E. Mahoney

Ward 9	Joseph J. Comi
	Emmett A. Nawn
Danbury	Roy K. Sargent
Dunbarton	deceased
Epsom	Eleanora C. Nutter
Franklin	
Ward 1	Basil Broadhurst
Ward 2	James M. Burke
	William S. Thompson
Ward 3	Charles E. Douphinette
	Arthur B. Leonard
Henniker	Merle R. Patenaude
Hooksett	Edward M. DuDevoir
	John B. Mulaire
Hopkinton	Nathaniel F. Davis
Loudon	William H. Brown
New London	Seth A. Lamson
Northfield	Fred G. Wilman
Pembroke	Leo G. Payeur
	George D. Thibeault
Pittsfield	Eralsey C. Ferguson
	E. Harold Young
Sutton	John R. Powell
Warner	Maurice F. Youmans

HILLSBOROUGH COUNTY

Amherst	Nelle L. Holmes
Antrim	Guy O. Hollis
Bedford	Ralph M. Wiggin
Benninghton	Edward C. Black
Brookline	Grover C. Farwell
Goffstown	A. Kenneth Hambleton
	Rufus L. Jennings
	Alfred W. Poore
	Austin H. Reed
Greenfield	Hobart M. Adams
Greenville	O. John Fortin
Hancock	Robert English
Hillsborough	Samuel P. Hadley
Hollis	

Hudson	Roland W. Abbott
	Fred T. Goodwin, Jr.
	Ned Spaulding
Litchfield	John A. Reid
Lyndeborough	Edward G. Warren
Manchester	
Ward 1	Marion B. Corliss
	George A. Lang
	Myer Saidel*
	Emile J. Soucy
Ward 2	William L. Cain
	Harry J. Danforth
	Joseph H. Geisel
	John Pillsbury
	Kenneth W. Robb
Ward 3	Walter B. Connor
	Denis Horan
	Louis I. Martel
	Thomas E. Sullivan
Ward 4	William J. Fitzgerald
	Dominick J. Kean
	Thomas H. Nolan
Ward 5	Stanley J. Betley
	Jeremiah B. Healy
	George J. Hurley
	John F. Shea
	George W. Smith
Ward 6	John H. Callahan
	Denis P. Casey
	Edward J. Cavanaugh
	Edward D. Clancy
	Daniel J. Healy
	deceased
Ward 7	Charles J. Leclerc
	Adrien A. Paradis
	Oscar A. Poirier
	Alonzo J. Tessier
Ward 8	George N. Constant
	Eugene H. Delisle, Sr.
	Fernand Genest
	Raymond J. Langlois
	John J. Rainey

Ward 9	Fred Cary Henry J. Gagnon
Ward 10	George E. Auger Alfred A. Bergeron John J. Kearns Martin J. O'Neil
Ward 11	Richard T. Lyons Walter F. McCarthy John M. Roche
Ward 12	Joseph F. Attalla Amelia Lareau Louis J. Soucy Leon J. Vaillancourt
Ward 13	Rolland L. Chapdelaine Henry J. Dupont Lorenzo P. Gauthier Origene E. Lesmerises Arthur E. Thibodeau
Ward 14	Michael J. Cannon Michael S. Donnelly Peter H. Roy
Merrimack	Bert L. Peaslee
Milford	David Deans, Jr. William M. Falconer Fred T. Wadleigh
Nashua	
Ward 1	J. Wesley Colburn Mabel T. Cooper Donald C. Freeman Alice L. Ramsdell
Ward 2	George F. Boire Robert H. Temple
Ward 3	Agenor Belcourt Roland A. Morrissette
Ward 4	Winslow P. Ayers Cornelius M. Brosnahan
Ward 5	Albert Maynard George S. Pappagianis
Ward 6	John B. Dionne Frank B. Shea

Ward 7	Arthur J. Chartrain
	Frank E. Ryan
	Dennis F. Sweeney
Ward 8	Charles A. Dugas
	Alphonse A. Dutilly
	Alfred P. Grandmaison
	Louis M. Janelle
	Normand R. Pelletier
Ward 9	Paul E. Bouthillier
	Peter J. Dumais
New Boston	Edward F. Locke
New Ipswich	William T. Thompson
Pelham	Andrew L. Mailloux
Peterborough	Charles M. Cummings
	Chester F. Dutton
Weare	Chester W. French
Wilton	David J. Barry

CHESHIRE COUNTY

Alstead	Nelson C. Burnham
Chesterfield	Wakefield Dort
Dublin	Charles R. Thomas
Fitzwilliam	Pauline H. Maynard
Gilsum	Walter L. Maloney
Harrisville	John N. Clark
Hinsdale	Frank W. Walker*
Jaffrey	Homer J. Belletete
	Carl C. Spofford
Keene	
Ward 1	Charles P. Haley
	Howard W. Kirk
	Edward C. Sweeney, Sr.
Ward 2	Irene W. Landers
	Holland S. Wheeler
Ward 3	Frank J. Bennett
	Cleon E. Heald
Ward 4	Leroy E. Codding
	Francis F. Faulkner
Ward 5	Theodore S. Barton
	Hugh F. Waling
Marlborough	Charles E. Carlton
Rindge	Harry E. Sherwin

Swanzey	Ralph A. Blake
	Joseph Kershaw
Troy	Franklin L. Lang
Walpole	Harold T. Killeen
	E. Everett Rhodes
Westmoreland	Oscar W. Billings
Winchester	Frederick H. Ingham
	Alexander P. Thompson

SULLIVAN COUNTY

Charlestown	Martha McD. Frizzell
Claremont	
Ward 1	George W. Angus
	Sydney B. Converse
	Arthur E. Howe
Ward 2	Maurice D. Firestone
	Julia A. Millar
	Sam J. Nahill
Ward 3	William P. Baron
	Alfred J. Marcotte
	Robert E. Stone
Cornish	Fred Davis
Langdon	Walter H. Smith
Lempster	John A. Wirkkala
Newport	Raymond P. Holden
	Edwin H. Perry
	Gladys D. Roe
	Joseph D. Vaughan
Plainfield	Otis W. Jordan
Springfield	Arthur H. Metcalf
Sunapee	Clifford E. Gamsby
Unity	Margaret B. DeLude

GRAFTON COUNTY

Ashland	Hiram F. Gingras
Bath	Edwin P. Chamberlin
Bethlehem	Charles H. Whittier
Bristol	Bowdoin Plumer
Campton	Philip S. Willey
Canaan	George L. Eggleston
Easton	Lyle E. Brown

Enfield	Thomas J. Lorden
Franconia	Nina E. Peabody
Grafton	Elsie F. Williams
Hanover	Edith P. Atkins
	Robert J. Fuller
	Elizabeth W. Hayward
	Charles A. Holden
Haverhill	Norman A. McMeekin
	Finley P. Sleeper
Holderness	William R. Stockwell, Jr.
Lebanon	Arthur F. Adams
	Jerold M. Ashley
	Forrest B. Cole
	Fred A. Jones
	Victor G. Jones
	Joseph B. Perley
Lincoln	Charles Griffin
Lisbon	Norman C. Fox
Littleton	Van H. Gardner
	George E. Longchamps
	Eda C. Martin
Lyme	Charles E. Dixon
Orford	Robert W. Carr
Piermont	Earl V. Howard
Plymouth	Kenneth G. Bell
	Suzanne Loizeaux
Rumney	Jesse A. Barney
Thornton	Ida M. Horner
Warren	Fayne E. Anderson
Waterville	Sarah J. Woodward
Woodstock	Thomas F. Sawyer

COOS COUNTY

Berlin	
Ward 1	Oliver Dussault
	Edward F. Hinchey
	Henry M. Moffett
Ward 2	Harry L. Henderson
	Frank H. Sheridan
Ward 3	Hilda C. F. Brungot
	Marie A. Christiansen

Ward 4	Arthur A. Bouchard
	Jennie Fontaine
	Albert Theriault
Colebrook	Harry S. Alls
Columbia	Lovell V. Oakes
Dalton	William O. Emerson
Gorham	Bernard J. Robinson
	Philip K. Ross*
Jefferson	Raymond G. Kimball
Lancaster	Arthur L. Simonds
	Walter E. Swett
Milan	Lloyd Flint
Northumberland	Claire Boutain
	Eleanor R. Hayes
Pittsburg	Merton L. Hilliard
Stewartstown	George M. Weeks
Stratford	Bert Stinson
Whitefield	Ada C. Taylor

* Those marked with an asterisk were not present but appeared and qualified later as will be found in the daily proceedings of the House.

The clerk called the House to order, and stated that the first order of business is election of a temporary presiding officer.

Mr. Wadleigh of Milford placed in nomination Mr. McDaniels of Nottingham, and moved his election.

On a *viva voce* vote Mr. McDaniels of Nottingham was declared elected temporary presiding officer and was escorted to the Chair by Mrs. Otis of Concord and Mrs. Fontaine of Berlin.

On motion of Mr. Matthews of New Hampton the House proceeded to the election of a Speaker.

Mr. Griffin of Lincoln placed in nomination Mr. Perkins of Concord.

Mr. Barry of Wilton placed in nomination Mr. Kearns of Manchester.

On motion of Mr. Hart of Laconia, the nominations for speaker was closed.

Mr. Kearns of Manchester then withdrew his name as candidate for Speaker and moved that the clerk be instructed to cast one ballot for Mr. Perkins of Concord and Mr. Perkins was declared elected Speaker and was escorted to the chair by Mr. Kearns of Manchester and Mr. Griffin of Lincoln.

On motion of Mr. Kearns of Manchester the election was made unanimous.

Speaker's Remarks

Members of the House of Representatives:

I accept the trust that your kindness and confidence have conferred upon me in selecting me as your presiding officer. I cannot be unmindful of the responsibilities and obligations that are commensurate with the office of Speaker of the House of Representatives. I shall, to the best of my ability, endeavor to discharge those many duties and responsibilities in a manner as is befitting that office.

During the coming months members of the House of Representatives will cast their considered vote on behalf of their constituents. Diversity of opinion in this hall is healthy; it is progressive; it is the very foundation of our democratic system of government. I solicit and invite your cooperation and assistance in discharging the exacting duties of this important public trust.

As the servant of the House it will be my pleasure and my duty to be governed by your superior authority and to aid you in the orderly expression of your will. I pledge to each and every one of you my cooperation and attention.

Faithful attendance at sessions of the House, faithful attendance at committee hearings, prompt and adequate public hearings, early and well-considered committee reports combined with a realistic and business like approach to our legislative duties will be of immeasurable value in curtailing the length of our legislative session and in curtailing our legislative expenditures.

After adjournment of the afternoons of January 13, 14, and 20, the Bureau of Government Research, of the University of New Hampshire, under the direction of its Executive Secretary, will conduct in this hall orientation courses in legislative

procedures and practices for all members of the House. I urge all members, and especially the new members, to attend these interesting and informative classes.

The Council of Towns will reopen its discussion-lecture forums in the State House Lounge on Wednesday morning, January 14th. All members are invited to attend and participate in these lecture groups, where issues of current legislative interest and importance are ably presented and discussed.

For the honor you have bestowed upon me I return you my sincere gratitude and appreciation.

The business of the session is now in order.

Mr. Ferguson of Pittsfield placed in nomination for Clerk, Robert L. Stark of Goffstown; for Assistan Clerk, Francis W. Tolman of Nelson; for Sergeant-at-Arms, Lloyd E. Fogg of Milan; for Doorkeepers, Sherman Greer of Manchester; Mabel L. Richardson of Randolph; Frank B. Clark of Canaan and Bertha C. Boutwell of Concord.

On motion of Mr. Wadleigh of Milford the Speaker was instructed to cast one ballot for the above candidates and they were declared elected.

Robert L. Stark, Francis W. Tolman, Lloyd E. Fogg, Sherman Greer, Mabel L. Richardson, Frank B. Clark and Bertha C. Boutwell then appeared and were duly qualified by taking the oath as Clerk, Assistant Clerk, Sergeant-at-Arms and Doorkeepers respectively.

ROBERT L. STARK,
Assistant Clerk for 1949-1950

On motion of Mr. Wells of Newton:

Resolved, That the Honorable Senate be informed that the House of Representatives has organized by the choice of Raymond K. Perkins as Speaker; Robert L. Stark as Clerk; Francis W. Tolman as Assistant Clerk; Lloyd E. Fogg as Sergeant-at-Arms and Sherman Greer, Mabel L. Richardson, Frank B. Clark and Bertha C. Boutwell as Doorkeepers.

On motion of Mr. Fernald of Rochester:

Resolved, That the House of Representatives will be ready to meet the Honorable Senate at 12 o'clock today for the purpose of receiving His Excellency, the Governor, and any communication he may be pleased to make.

Message from the Senate

A message from the Honorable Senate by its Clerk announced that:

The Senate has voted to adopt the following resoultion:

Resolved, That the House of Representatives be informed that the Senate having assembled, has organized by the choice of Lane Dwinell as President, Benjamin F. Greer as Clerk, Frank M. Ayer as assistant Clerk, John S. Ball as sergeant-at-arms, Rene Dufort as messenger, ———————— and is now ready to proceed with the business of the session.

On motion of Mr. Soucy of Manchester, Ward 1:

Resolved, That a committee of five be appointed by the chair to wait upon His Excellency, the Governor, and inform him that a quorum of each branch of the Legislature has assembled and is ready to receive any communication he may be pleased to make.

The Speaker named as such committee on the part of the House, Messrs. Fuller of Hanover, Scamman of Stratham, Mesdames Landers of Keene, Corliss of Manchester and Mr. Barry of Wilton.

Joint Convention

The Honorable Senate then came in and the two branches being in Convention.

Committee Report

Mr. Fuller of Hanover for the committee reported that the committee appointed to wait upon His Excellency, Sherman Adams, Governor, had attended to their duty and that His Excellency, the Governor, had a communication which he desired to make.

His Excellency, the Governor, with the Honorable Council then appeared and delivered the following message:

EXAUGURAL ADDRESS TO THE GENERAL COURT OF NEW HAMPSHIRE

The occasion which brings us together is traditional, yet these are extraordinary times. You and I are characters in the contemporary political drama in which these scenes are familiar. Yet our participation, like that of thousands like us who come together in this January of 1953 to join in the work of representative government, will be a profoundly significant experience.

America needs a lift. In the conduct of free government, it is already commencing to get it. In no other activity on the American scene has there been such a need. In many of the states the public demand for better and more conscientiously administered government is being answered. New Hampshire is one of those states.

There is much despairing about the decadence of American politics or, more specifically, about those who participate in it, as indeed there is too much reason to be. The acknowledged and recognized decline in the standards of public service has most certainly resulted in a lowered estimation of the people of America in the most important of their civil institutions and, more important, in themselves. There is certainly no lack of caustic, even vilifying criticism, both written and spoken, yet in most of it there is a detectable self-consciousness and lack of self-reliance, as well as much despondency about the future.

In all this public reaction there is an expressed fear of the failure of this American experiment in free government. Any successful representative system of government must first have confidence in itself, and faith in its own ability to produce men and women of character and dedication, who are willing to give something more than ordinary, commonplace superficial service. All of this self-depreciation is disillusioning and not a little stupid. People do not have to put up with low grade government, nor poor performers. People do not have to adopt an abject, self-apologetic attitude while groping for reasons to explain shabbiness in public conduct.

Lack of faith is a threat to freedom. The belief of too many of our citizens that nothing good now comes from politics is a disturbing indication of our national state of mind. Yet the people who criticize are finding fault with themselves.

There is an old saying that what Peter says about Paul tells more about Peter than it does about Paul.

This must now be a year of faith and renewed hope. It must be a year of the belief unanimously shared that free government can work, and that we can produce the men and women to make it successful. This is the year when every participant in the political life of this country must search his own conscience and be prepared to deliver the highest level performance of which he is capable. It is the year when the people again must be able to renew their confidence in the free institutions which give them political liberty and without which free government cannot live. There is no more appropriate resolve than that adopted by this Legislature in the motto of the great State of New Hampshire ("Live Free or Die.").

Your light is not out. It continues to shed its glow far out across the nation, over the prairies, and into the far west. The effect which your forefathers had upon the building of this nation is evident in countless communities all the way west of us to the Pacific. The extent to which New Hampshire people shared in the construction of the Republic is an inspiring realization. The effect of your ideals and your political teachings is far flung. The results you have obtained in government, and the effective manner you have had the good judgment to adopt in dealing with your own problems, are known far beyond these horizons. New Hampshire today is still an example, a pattern to be copied, held up to other people throughout other states of the Union for imitating. I know, for I have been in every one of them within a year. It is not easy to understand that the eyes of millions of your fellow citizens throughout the length and breadth of this land have had watchful eyes upon what has happened here, upon our self-conduct, and upon the accomplishments that we have made.

I say that America has already had a lift from New Hampshire and that the vitality of that influence is in your hands and the people who elected you. You will not turn back the clock. Your understanding of the real responsibilities of representative government is as keen as was the appreciation of its responsibilities by that little company of people in January, 1776 in arranging the first fragment of a state constitution in America. You know what forward looking government is. You know that government needs a kind heart and a hard head.

You have seen what a deplorable state of indebtedness the giant deficits of national government have multiplied upon the heads of our people. The increase in what you owe here must now give you pause, not because this indebtedness is not soundly financed, but that you take care, as you always have, that what you need you have, and that what you have you need, and that you pay for both. You will not turn your back upon human needs that have become the recognized responsibility of state government and which can now be met only with your supporting hand. You will not forget the aged nor the blind, nor defenseless children who will need your helping hand. The institutions we have provided for the infirm and the unfortunate, now better staffed, equipped, and managed than ever before in our time, will continue to have your understanding support. You have taken pride in providing the facilities of a great university, admirably directed, that your children might have an educational opportunity comparable to that available anywhere. Your appreciation of its problems will not only be patient and painstaking, but an immensely rewarding experience of your work here together.

Your vision of the needs of young people, their thirst for knowledge, and the urgency of their good health will have the keener consideration which the times demand, for you know that health and education are the bright jewels of a child's future.

To promote the comfort and the progress of our people who are our richest resource, the assets which nature has given us, sometimes not too bountifully, will need your considerate protection. The use and care of our soil, our running water, and our growing trees are yours to conserve. Although we think that we are sometimes less bountifully endowed, the exigency of a more modest economy is not wholly an evil. In this more modest existence there is found a shield against the superficiality that is now so characteristic of much of this pretentious world.

You will leave your mark here, as I have tried to do, in what seems to me now a brief term of service. This is a time for preparation for things yet to be accomplished; it is no time for boasting. This is a time for a keener perspective of the road ahead rather than a time for looking back. Whatever mark has been made by me in the history of government, many of you have shared in its making by your acts and by your deeds. The perception you have had of the problems placed before

you is only characteristic of the vision of other generations of legislators. Also, history of our time has been molded by those who as volunteers have participated in the problems which we have asked them to share. The answers to the problems of state government reorganization, of the Personnel System, of industry encouragement, of state advertising and promotion, would never have been as adequate without the unpaid contribution of time and effort of the able citizens who gave of themselves. A public expression of gratitude for this effort, so characteristic of New Hampshire citizens, is agin appropriate.

Whatever mark has been made during my service with you has not been made by standing still. The scope and structure of government must change and be changed with the demands of the times. What we did yesterday is not necessarily what we do tomorrow. Successful government must have good sense to know what to do less of, as well as what to do more of, and often must have the courage to do the politically inexpedient.

Always we in government must remember that we are dealing with human beings, not just dollars and departments. As human individuals our employees are entitled to treatment without political prejudice but with decency and fairness. The advantage of adequate compensation is measured in a low employee turn-over and high work standards.

This state government is not a self generated group of rulers, infallible either in their action or judgment. They are ordinary people endowed with the ability to serve, upon whom are bestowed the confidences of the people who elected them. While it would be ridiculous to expect that every public servant should go back to the voters for an opinion about his every act, it is equally ridiculous to argue that people in public life can, with immunity, disregard the ideals and philosophy of the people they serve.

How have we interpreted this? By seeking to conduct honest government under competent, dedicated men and women, working with people of conscience, each intent upon delivering a full share of service. By conducting a government committed to living within its income.

And parenthetically, while we are giving thought to these matters, you will not be unmindful of the effort which others are making in this self-same regard on the national scene. You have succeeded in preserving the real values in one of the oldest free political enterprises in the world, which is your state

government. You can now look upon the efforts of those who are devoting themselves to lifting the sights of the federal system. You will shortly have a President completely committed to eliminating dishonesty in government. Here is a man who will throw off from the federal system the false assumption of its own self sufficiency and infallibility. He will discontinue its wandering and bewildering policies and will restore clear goals and plain targets. The harboring of subversives under the guise of protecting the rights of those intent upon betraying us into the hands of world revolutionaries will come to a halt. The new administration is not going to take very long to make up its mind or take its stand on these questions. It will not put up with crooks or criminals in the Federal Government. Make no mistake about these things.

You can also be sure that the kind of problems with which you dealt in reorganizing the state government are typical of those that now confront the incoming President. To a considerable extent the objectives will be similar. The changes you legislated in the Special Session of 1950 gave us here the tools to help insure honest performance in government. The operation of the Division of Accounts is one of the sharpest of these. The investment we made in changes is measurable in efficiency and in dollars, and in increase in revenue. For instance, at least $100,000 of additional annual revenue has come from more vigorous collection methods by the Tax Commission in its newly acquired Legacy Division. Another $15,000 annually comes from the fees collected by the Department of Weights and Measures. These are typical of these measurable results.

Annual reductions in expenditures will conservatively exceed one quarter million dollars of annual expense, and you can count it in larger sums, depending upon your point of view. The method of buying insurance under the Director of Purchase and Property has effected a reduction in cost of something like $40,000 a year. Better management of our institutional properties indicates a reduction of at least $50,000 yearly.

We have together made other changes as a result of exhaustive and constructive surveys in the Department of Public Works and Highways, and in the Department of Public Welfare, and in our largest institution, the State Hospital. Increased collections made possible by the adoption of new methods of collections of private accounts in the latter now amount

to over one quarter million dollars annually. That single item of increased revenue for one year is almost ten times the complete cost of the surveys we have made. It exceeds by almost five times the total added cost of new administrative positions created under the improved management practices of the Reorganization Act.

You can now appraise for yourselves the rapid and well planned progress in the construction of a modern state highway system. We are paying for it, to be sure, but there are few who will not say that we are receiving a fair return on our investment. The modernization of the Highway Department in 1949 and 1950 made more contsruction money available and finally provided for the establishment of a long range maintenance and construction program with greater dollar economies in supervisory and technical personnel.

It would give me some satisfaction to describe the better care that the patients and inmates of our several institutions, from their own point of view, are receiving. Time has shown the wisdom of providing farm and business supervisors who now counsel with the institution heads. We are feeding inmates better food at less cost. We supply them with carefully packaged sanitary milk rather than furnishing milk in bulky containers which have been proved unfit and infectious.

It will be worth noting, I am sure, that the turn-over in State personnel dropped 25% following the adoption of the Personnel Act in 1950. With reclassification we have reduced the hours of institutional employees, some of whom worked as much as eighty hours a week. With maximum hours now at fifty-one, we have added to the staffs of our institutions but have been able to give much more equitable and uniform treatment to our employees. The operation of the State Employee System, now on a non-political basis, depends for the choice of new state workers upon examination and qualification. The new personnel procedures encourage those in state service to work for promotion, and "in service" employees are being promoted at a rate of more than twice that of a year ago.

Three-fourths of the land area of New Hampshire is fitted for the growing of timber, and little else. We passed a controversial law four years ago providing for a revision of the timber tax law. Previously the taxation upon growing timber literally confiscated its growth, year by year, and the property tax was often laid when the owner was least able to pay it. The result forced owners to liquidate timber when it was immature and

growing at its maximum rate. Now we treat timber as a crop, and tax it as it is cut and give to the selectmen the option of reducing the rate of the tax to those owners who show proof of the adoption of approved selective cutting methods. The expansion in New Hampshire timber resources will be a sure result of this policy.

The administrative departments of state government have watched their budgets, and spent with the care the Legislature directed. The lapses o fappropriated funds for the last four years, ended June 30, amount to nearly one and one-half million dollars. The department heads are entitled to a word of commendation for keeping within the amounts provided in the budgets. The gross bonded debt of the state is now nearly twenty-four million dollars, an increase of eight and one-half million since June 30, 1949. Of this increase, all but about three million consists of highway and toll road obligations which are self liquidating. Nevertheless our total bonded debt now averages about forty-three dollars per capita and is about the limit which prudence dictates.

This story some time must come to an end. It is already longer than I had intended.

The mark that I and my helpers have made will be written down more legibly than I can write it. The record is not perfect, as no such record is ever perfect. The tasks I have assigned myself would not always have been the kind you would have selected for me. Yet these have been honorable objectives, and toward their success I have not spared myself. In their attainment I think the state is no poorer, nor is it less well regarded in the national estimation.

As the sun sinks on this day it marks the ending of my duties here. The dawn tomorrow will find me carrying on my activities in another field. Yet the affection and respect I have for you and your work will not diminish. The recollections I shall hold of this day, and happier ones, will keep many of your faces always fresh in my mind.

The cause of world peace seems to advance slowly. Its progress and success makes the difference of whether or not your efforts and mine will amount to anything. For the President of the United States here lies the world's great challenge. To build a stronger national unity is for each of us a personal means of contributing to this supremely important cause.

To suggest that you be "kindly affectioned one to another" may be a little too obvious contribution to such a cause,

but the quotation is nevertheless appropriate to all of us in this work during these uncertain days.

Only a few days ago Winston Churchill arrived to revisit America. One of the two great leaders of the free world, he called to pay his respects to the other. The song of his old school, Harrow, in which he loves to join comes to mind since it contains a wish I leave with you, with the hope that you find the right path all the way.

"Forty years on, growing older and older
Shorter in wind, as in memory long.
Feeble of foot and rheumatic of shoulder
What will it help you that once you were strong.

"God give you bases to guard and beleaguer
Games to play out, whether earnest or fun
Fights for the fearless and goals for the eager
Twenty and thirty and forty years on."

On motion of Senator Jackson of District No. 11, the Convention rose.

House

On motion of Mr. Spaulding of Hudson:

Resolved, That the Senate and House of Representatives in convention assembled this seventh day of January, 1953, have listened with gratification to the message of Governor Sherman Adams and hereby express to him the high esteem in which we hold him and his conduct of his office.

Mr. Spaulding of Hudson moved that the address of His Excellency, the Governor be printed in the journal.

On a *viva voce* vote the motion prevailed.

Mr. Pillsbury of Manchester moved that the House be in recess for one hour.

On a *viva voce* vote the motion prevailed.

After Recess

On motion of Mr. Peever of Salem:

Resolved, That the Honorable Senate be informed that the House of Representatives will be ready to meet the Senate in Joint Convention for the purpose of canvassing the votes for Governor and Councillors agreeably to the Constitution and for the election of a Secretary of State and State Treasurer.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had adopted the following resolution:

Resolved, That the House of Representatives be informed that the Senate will be ready to meet the House in joint convention for the purpose of canvassing the votes for the Governor and Councilors agreeably to the provisions in the Constition at 2 o'clock this afternoon and for the election of a Secretary of State and State Treasurer.

Joint Convention

The Honorable Senate then came in and the two branches being in convention.

On motion of Mrs. Richards of Exeter:

Resolved, That the Honorable Secretary of State be requested to lay before the convention the returns of the votes for Governor and Councilors cast in the last election.

The Honorable Secretary of State then appeared and laid before the Convention the returns of the votes for Governor and Councilors cast in the last election.

On motion of Senator Greene of District No. 9:

Resolved, That the vote for Governor and Councilors be referred to a committee consisting of one on the part of the Senate and two on the part of the House to compare and count the same and report thereon.

The Chairman named as such committee: Senator Greene of District No. 9, Mr. Geisel of Manchester, and Mr. Sheridan of Berlin.

Report of Committee

Senator Greene of District No. 9, for the joint committee to whom was referred the return of the votes cast for Governor and Councilors at the last biennial election, reported that it had examined, compared and counted the same, with the following result:

For Governor

	GREGG	CRAIG
Rockingham	26,135	10,818
Strafford	13,526	11,259
Belknap	9,378	3,711
Carroll	7,484	1,341
Merrimack	21,019	10,203
Hillsborough	44,033	37,508
Cheshire	11,925	6,065
Sullivan	8,417	4,308
Grafton	15,892	5,433
Coos	9,982	7,278
Totals	167,791	97,924

Hugh Gregg having a plurality of all votes, was elected Governor.

FOR COUNCILORS

First District

George H. Keough, Gorham, r	30,510	
Laurier Lamontagne, Berlin, d	14,531	
Plurality for Keough		15,979

Second District

C. Wesley Lyons, Rochester, r	34,564	
John P. Carberry, Rye, d	19,698	
Plurality for Lyons		14,866

Third District

Romeo J. Champagne, Manchester, d	29,716	
Harold T. Clark, Manchester, r	21,609	
Plurality for Champagne		8,107

Fourth District

Howard R. Flanders, Nashua, r	32,035	
Daniel J. Hagerty, Nashua, d	22,168	
Plurality for Flanders		9,867

Fifth District

John P. H. Chandler, Jr., Warner, r	33,427
Eugene S. Daniell, Jr., Franklin, d	17,440
Plurality for Chandler	15,987

The report was accepted.

On motion of Mrs. Cooper of Nashua:

Resolved, That a committee of five be appointed by the Chair to wait upon the Honorable Hugh Gregg and inform him officially of his election as Governor of the State of New Hampshire, and that the Senate and House of Representatives are ready to receive any communication from His Excellency at such time as he may desire.

The Chairman appointed as members on such committee Senator Cummings of District No. 2, and Senator Jones of District No. 20, and Mr. Peever of Salem, Mr. Holden of Hanover, and Mr. Kearns of Manchester.

On motion of Mrs. Griffin of Auburn:

Resolved, That a committee of three be appointed by the Chair to wait upon the Councilors: George H. Keough, C. Wesley Lyons, Romeo J. Champagne, Howard R. Flanders, and John P. H. Chandler, Jr., and inform them officially of their election to the Honorable Council.

The Chairman appointed as members of such committee, Senator Graves of District No. 23, Mr. Marden of Chichester and Mr. Baron of Claremont.

On motion of Mrs. Otis of Concord:

Resolved, That the convention proceed with the election of a Secretary of State.

Mrs. Otis of Concord placed in nomination Mr. Enoch D. Fuller as Secretary of State.

Mr. Kearns of Manchester moved that the nomination for Secretary of State be closed and that the Clerk be instructed to cast one ballot for Mr. Enoch D. Fuller.

On a *viva voce* vote the motion prevailed.

The Chairman declared Mr. Enoch D. Fuller elected as Secretary of State.

Mr. Pillsbury of Manchester offered the following resolution.

Resolved, That the convention proceed with the election of a State Treasurer.

Mr. Wells of Newton placed in nomination for State Treasurer, Mr. Alfred S. Cloues.

Mr. McAllister of Barnstead placed in nomination for State Treasurer, Mr. F. Gordon Kimball.

On motion of Mr. Spaulding of Hudson nominations for State Treasurer were closed.

Tellers Appointed

The chairman appointed as tellers to count ballots, Mr. Peever of Salem, Mrs. Cooper of Nashua, Mr. Whittier of Bethlehem, Senator Rowell of District No. 8, and Mr. Barry of Wilton.

Tellers' Report

Mr. Peever of Salem for the Committee to count ballots.

Total number of ballots cast	352
Alfred S. Cloues had	231
F. Gordon Kimball	121

And the Chairman declared Alfred S. Cloues elected State Treasurer.

On motion of Senator Graves of District No. 23 the Convention rose.

House

On motion of Mr. Corbett of Concord:

Resolved, That the Speaker of the House be authorized to appoint one custodian of mail and supplies, one warden of the coat room, one assistant warden of the coat room, one library messenger, one telephone messenger, five pages and one page to the Speaker.

Mr. Perkins of Alton offered the following resolution:

Resolved, That a committee of ten members, one from each county, be appointed by the Chair to select some suitable person to act as Chaplain during the present session of the Legislature and report such selections to the House for consideration.

On a *viva voce* vote the resolution was adopted.

The Speaker appointed as members of such committee: Mr. Perkins of Alton, Mrs. Brock of Atkinson, Mrs. St. Pierre of Rochester, Mr. Tilton of Laconia, Mr. Hill of Conway, Mrs. Mahoney of Concord, Mr. English of Hancock, Mr. Billings of Westmoreland, Mr. Vaughan of Newport, and Mr. Barney of Rumney.

Mr. Ferguson of Pittsfield offered the following resolution:

Resolved, That a committee of three be appointed by the Speaker to assist the Clerk in providing as soon as possible 1000 paper bound copies and 500 cloth bound copies of the Legislative Manual in substantially the same form and binding as that of 1951.

The question being on the resolution.

(Discussion Ensued)

Mr. Ferguson of Pittsfield spoke in favor of the resolution.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of such committee Mr. Ferguson of Pittsfield, Miss Loizeaux of Plymouth and Mr. Eastman of Kensington.

Rules of the House

Mr. Ferguson of Pittsfield offered the following resolution:

Resolved, That the Rules of the House of Representatives adopted by the Session of 1951 be adopted by the present session.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Soucy of Manchester, Ward 1:

Resolved, That the Speaker appoint a committee of three to assign seats to the members excused from drawing.

The Speaker appointed as members of such committee Messrs. Soucy of Manchester, Ward 1, Hart of Laconia, and Peever of Salem.

On motion of Mr. Soucy of Manchester, Ward 1:

Resolved, That the drawing of seats be made a special order for 11:01 A.M., Tuesday, January 13, 1953.

Mr. Foote of Portsmouth offered the following resolution:

Resolved, That the Clerk, with the approval of the Speaker, may employ such stenographic and other clerical assistance as they may deem necessary, to be as follows: Speaker's stenographer, stenographer for Judiciary Committee, stenographer for Appropriations Committee, mileage clerk, three stenographers for the House, one messenger for Judiciary Committee and one messenger for Appropriations Committee.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Scamman of Stratham:

Resolved, That the Speaker be authorized to appoint a committee of three to procure and assign suitable hearing rooms for various committees of the House.

The Speaker appointed as members of such committee: Mr. Scamman of Stratham, Mrs. Holmes of Amherst, and Mr. Barry of Wilton.

Communication from Secretary of State

Correspondence pertaining to the Representative to the General Court from the town of Hollis.

Communication accepted and referred to the Committee on Elections.

Correspondence from the town clerk of Acworth relative to the town choosing of a delegate to the Sullivan County convention.

Communication accepted and referred to the Delegation from the County of Sullivan.

Resolutions

Mr. French of Weare offered the following resolution:

WHEREAS, We have learned of the passing of David M. Hadley, Representative-elect from Dunbarton and former Member of the House of Representatives of the New Hampshire Legislature, therefore be it

Resolved, That we, the Members of the House, hereby express our heartfelt sympathy to the family of our former associate in its bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to the widow, Mrs. Hadley.

On a rising vote the resolution was unanimously adopted.

Introduction of Bills

By Mr. Wells of Newton, House Bill No. 1, An act relating to bribery and intimidation in elections. To the Committee on Judiciary.

By Mr. Ferguson of Pittsfield, House Bill No. 2, An act providing for the filling of vacancies in the office of United States senator. To the Committee on Judiciary.

By Mr. Ferguson of Pittsfield, House Bill No. 3, An act relative to election campaign receipts and expenditures and their publication. To the Committee on Judiciary.

By Mrs. Studley of Rochester, House Bill No. 4, An act establishing the Municipal Finance Act. To the Committee on Municipal and County Government.

By Miss Loizeaux of Plymouth, House Bill No. 5, An act relating to the state emergency fund. To the Committee on Executive Departments and Administration.

By Mr. Sheridan of Berlin, House Bill No. 6, An act relative to the office of the legislative budget assistant. To the Committee on Appropriations.

By Miss Loizeaux of Plymouth, House Bill No. 7, An act providing for salaries of unclassified state officials and establishing certain positions. To the Committee on Appropriations.

By Mr. Wells of Newton, House Bill No. 8, An act relative to the legislative council. To the Committee on Judiciary.

By Mr. Ferguson of Pittsfield, House Bill No. 9, An act relative to compensation of legislative employees. To the Committee on Appropriations.

By Miss Loizeaux of Plymouth, House Bill No. 10, An act relative to bonds for trustees of city or town trust funds. To the Committee on Executive Departments and Administration.

By Mr. Nahill of Claremont, House Bill No. 11, An act relative to compensation for members of the barbers' examining and licensing board, and to fees for renewal of certain licenses. To the Committee on Public Health.

By Mr. Brown of Loudon, House Bill No. 12, An act relative to season for taking wild deer. To the Committee on Fish and Game.

By Mr. Black of Bennington, House Bill No. 13, An act creating the flag of the state of New Hampshire, certain dis-

tinguishing flags and establishing a state flag code. To the Committee on Military and Veterans Affairs.

By Mr. Brown of Laconia, House Bill No. 14, An act relative to the purchase and operation of aircraft by the aeronautics commission. To the Committee on Aviation.

By Mr. Danforth of Manchester, House Bill No. 15, An act relative to compensation of jurors. To the Committee on Judiciary.

By Mr. Brown of Laconia, House Bill No. 16, An act extending certain aeronautical appropriations. To the Committee on Appropriations.

By Mr. Brown of Laconia, House Bill No. 17, An act relative to landing areas for operation of aircraft under the aeronautics act. To the Committee on Aviation.

By Mr. Pillsbury of Manchester, House Bill No. 18, An act relative to membership of the board of managers of the New Hampshire Soldiers' Home. To the Committee on Military and Veterans Affairs.

By Mr. Black of Bennington, House Bill No. 19, An act relative to veterans service exemption. To the Committee on Municipal and County Government.

By Mr. Brown of Strafford, House Bill No. 20, An act relative to labeling agricultural seeds. To the Committee on Agriculture.

By Mrs. Mahoney of Concord, House Bill No. 21, An act relative to procedure in collecting from bonds on public works. To the Committee on Public Works.

By Mr. Murch of Portsmouth, House Bill No. 22, An act relative to the board of registration of hairdressers and licenses for the practice of hairdressing. To the Committee on Public Health.

By Mr. Brown of Loudon, House Bill No. 23, An act relative to prohibiting the discharging of firearms on public highways. To the Committee on Fish and Game.

By Mr. Wells of Newton, House Bill No. 24, An act relative to escapes from places of lawful confinement. To the Committee on Judiciary.

By Mr. Locke of New Boston, House Bill No. 25, An act relative to the time for beginning construction on town highways with apportionment A funds. To the Committee on Public Works.

By Mr. Crandall of Dover, House Bill No. 26, An act relative to operation of motor vehicles when approaching school busses. To the Committee on Transportation.

By Mr. Sherwin of Rindge, House Bill No. 27, An act relative to change in classification of highway in Rindge. To the Committee on Public Works.

By Mr. Crandall of Dover, House Bill No. 28, An act providing for the licensing of agents of fraternal benefit societies. To the Committee on Insurance.

Mr. Lessels of Concord, House Bill No. 29, An act relative to retirement age for state employees. To the Committee on Executive Departments and Administration.

Miss Spollet of Hampstead, House Bill No. 30, An act increasing fees for licenses relative to the purchase and sale of poultry. To the Committee on Agriculture.

By Mrs. Otis of Concord, House Bill No. 31, An act relative to protection from adulterated and misbranded foods, drugs, devices and cosmetics. To the Committee on Public Health.

By Miss Loizeaux of Plymouth, House Bill No. 32, An act relating to students attending educational institutions under reciprocal agreements. To the Committee on Public Welfare and State Institutions.

By Mr. Weeks of Greenland, House Bill No. 33, An act relative to nonresident students at University of New Hampshire. To the Committee on Public Welfare and State Institutions.

By Mr. Weeks of Greenland, House Bill No. 34, An act establishing a New Hampshire Tri-State Commission. To the Committee on Public Welfare and State Institutions.

By Mrs. Millar of Claremont, House Bill No. 35, An act in relation to the care and education of the feebleminded. To the Committee on Public Welfare and State Institutions.

By Mr. Brown of Loudon, House Bill No. 36, An act relative to agricultural fairs. To the Committee on Judiciary.

By Mr. Black of Bennington, House Bill No. 37, An act providing for the reimbursement of towns and cities for veterans tax exemptions. To the Committee on Municipal and County Governments.

By Mrs. Millar of Claremont, House Bill No. 38, An act enlarging the powers and duties of the trustees of the state college and university. To the Committee on Public Welfare and State Institutions.

By Mr. Clow of Wolfeboro, House Bill No. 39, An act relative to questions to be submitted to the voters relative to sale of liquor and beverages. To the Committee on Liquor Laws.

By Mr. Ford of Wolfeboro, House Bill No. 40, An act relative to providing for one open season for taking deer for the entire state. To the Committee on Fish and Game.

By Mr. Dupont of Manchester, House Bill No. 41, An act prohibiting certain officials who are candidates for office from counting ballots at elections. To the Committee on Judiciary.

By Mr. Walker of Concord, House Bill No. 42, An act relative to the construction, reconstruction and betterment of Class I, II, IV, and V highways. To the Committee on Public Works.

By Mr. Geisel of Manchester, House Bill No. 43, An act changing the name of Cherry Mountain to Mount Eisenhower. To the Committee on Resources, Recreation and Development.

By Mr. Powell of Sutton, House Bill No. 44, An act relative to retirement of bonds for Class IV and Class V highways. To the Committee on Municipal and County Government.

By Mr. Nickerson of Tamworth, House Bill No. 45, An act naming a certain highway in Tamworth the Chinook Trail. To the Committee on Transportation.

By Mr. Hambleton of Goffstown, House Bill No. 46, An act relating to the moderators of school districts. To the Committee on Municipal and County Government.

By Mr. Hill of Conway, House Bill No. 47, An act relative to the term of office of certain assistant election officials. To the Committee on Municipal and County Government.

By Mr. Lesmerises of Manchester, House Bill No. 48, An act abolishing the finance commission for the city of Manchester. To the delegation from the city of Manchester.

By Mr. Attala of Manchester, House Bill No. 49, An Act relative to licenses for games of beano and permits of certain games of chance. To the Committee on Judiciary.

By Mr. Hambleton of Goffstown, House Bill No. 50, An act relative to deposits of money by credit unions in federal savings and loan associations. To the Committee on Banks.

By Mr. Robinson of Gorham, House Bill No. 51, An act relating to limitation of municipal budget committee. To the Committee on Municipal and County Government.

By Mrs. Otis of Concord, House Bill No. 52, An act relative to reinstatement of permanent firemen to retirement benefits. To the Committee on Executive Departments and Administration.

By Mr. Barry of Wilton, House Joint Resolution No. 1, Joint Resolution in favor of Frank Sheridan. To the Committee on Appropriations.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

The House was immediately called to order in afternoon session.

Afternoon

On motion of Mr. Pillsbury of Manchester at 3:37 o'clock the House adjourned.

THURSDAY, JANUARY 8, 1953

The House met at 11:00 o'clock.

Prayer was offered by Abraham Hefterman, Orthodox Rabbi of Manchester.

Almighty God,

In this day of a new beginning; when a new accumulation of energy, wisdom and dedication are in evidence for the welfare of our State; when greater vigor and stauncher determination have combined to afford greater blessings for the entire citizenry of our State of New Hampshire.

In this day we pray that Thou cast the rays of the Heavenly guidance on those who constitute this great body of law and order and their proper implemention. Give them, God, of Thy understanding and perception to choose noble methods for a fair distribution of equity among all the inhabitants of our great state, which has justly become the envy of many commonwealths in our union not by mere accident but by Thy grace and by our constant striving for loftier heights in government and legislation.

Pour Thy grace, O Lord, on this assembly, also on the newly elected First Citizen of our state; on those who inspire his private life, and those who are to help him carry the great burden of honest government. Grant them health, wisdom and determination to serve Thee by serving us all. May the seed of righteousness implant itself in every heart and bring forth greater blessing to our state and our union. *Amen.*

Leave of Absence

Mr. Martel of Manchester was granted leave of absence for the day on account of important business.

COUNTY DELEGATION NOTICE

The Speaker read the following notice.

County Convention

Chapter 44

Section 5 as amended by Laws of 1945, Chapter 172.

5. *Members.* The county convention shall consist of the representatives of the towns of the county. They shall meet on the second Wednesday of each biennial session of the General Court, or some other day in the same week, choose a chairman, clerk and an executive committee. The chairman and the clerk of the delegation shall be members of the executive committee ex officio.

Resolutions

On motion of Mrs. Saltmarsh of Concord:

Resolved, That when the House adjourns today it be to meet Tuesday morning, January 13, at 11:00 o'clock.

On motion of Mrs. Millar of Claremont:

Resolved, That the Honorable Senate be notified that the House of Representatives will be ready to meet the Senate in Joint Convention at 11:50 o'clock for the purpose of receiving His Excellency, the Governor, and any communication he may be pleased to make, and for the transaction of such other business as may properly come before such convention.

Senate Message

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the following resolution:

Resolved, That the Senate will be ready to meet the House of Representatives in joint convention as suggested by the House Message at 11:50 o'clock, for the purpose of receiving His Excellency, the Governor, and any communication that he may be pleased to make, and for the transaction of any other business that may properly come before such convention.

Resolutions

Mr. Philbrick of Rye offered the following resolution:

Resolved, That a committee be appointed to draw up suitable resolutions on the death of former Representative Ernest A. Tucker of Rye.

On a *viva voce* vote the resolution was adopted.

The Speaker appointed the following committee. Messrs. Philbrick of Rye, Scamman of Stratham and Carter of North Hampton.

Introduction of Joint Resolutions

The following joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mr. Black of Bennington, House Joint Resolution No. 2. Joint Resolution relative to lookout tower on Crotched Mountain. To the Committee on Resources, Recreation and Development.

By Mr. Simonds of Lancaster, House Joint Resolution No. 3. Joint Resolution in favor of Appleyard Motor Transportation Company, Inc. To the Committee on Appropriations.

By Mr. Brown of Loudon, House Joint Resolution No. 4. Joint Resolution relative to marking county boundaries on Class I and Class II highways. To the Committee on Municipal and County Government.

By Mr. Brown of Loudon, House Joint Resolution No. 5. Joint Resolution providing for an appropriation for the construction and location of picnic tables on public recreational areas. To the Committee on Resources, Recreation and Development.

By Mrs. Brungot of Berlin, House Joint Resolution No. 6. Joint Resolution in favor of Public Service Company of New Hampshire. To the Committee on Appropriations.

By Mr. Sherwin of Rindge. House Joint Resolution No. 7. Joint Resolution providing for memorials for John Stark. To the Committee on Resources, Recreation and Development.

By Mr. Brown of Loudon, Joint Rosolution No. 8. Joint Resolution providing for an appropriation for picnic tables in connection with the state highway roadside program. To the Committee on Resources, Recreation and Development.

The Speaker announced a recess.

After Recess

Joint Convention

The Honorable Senate then came in and the two branches being in convention, Senator Cummings of District No. 2, for the Joint Committee, offered the following report:

The Joint Committee appointed to wait upon Honorable Hugh Gregg and inform him officially of his election as Governor of the State of New Hampshire reports that it has attended to its duty; that the Governor-elect has accepted said office and will meet the Senate and House of Representatives in convention at the earliest convenient time to take the oath of office and make such communication as he deems proper.

The report was accepted.

Senator Graves of District No. 23, for the Joint Committee, offered the following report:

The Joint Committee appointed to wait upon George H. Keough, C. Wesley Lyons, Romeo J. Champagne, Howard R. Flanders and John P. H. Chandler, Jr., and inform them officially of their election to the Honorable Council, reports that it has attended to its duties, and that the gentlemen named have accepted the office, except Howard R. Flanders who was absent from the State.

The report was accepted.

Invocation was offered by the Reverend Paul R. Walker, pastor of the First Congregational Church, Nashua.

Almighty God, who hast been our dwelling place in all generations, be with thy people now, as ever thou hast been guide and help in ages past.

As Thou didst lead our fathers into this good place and cause them here to build a commonwealth for themselves and Thee, grant that in our time, we may prove a people worthy of our heritage.

As Thou hast clothed our mountains and our pleasant watered valleys, with field and forest rooted upon the ancient granite rock, help us to build the state upon the eternal foundations of righteousness, neither neglectful of teaching our children the same.

Help us the people of New Hampshire to keep an alert interest in the affairs of civic order, working for all good causes and supporting all good ideas even when they are not our own. Help us to seek agreement upon the basis of our highest common ideals, and teach us to learn how to express honest difference without rancour.

Fashion into one people, us of varying party, race, creed and national background, through a wider affection and a higher patriotism in which our love for Thee rises above all lesser loyalties and consecrates them to the common good.

Grant to those who are given authority, an ample measure of wisdom, courage and understanding. Make them equal to their high trust, reverent in the service of the people, just in the exercise of power, alert in the protection of the weak and diligent in the performance of duty. Let the spirit of service abolish all pride of position and all self-seeking.

Especially do we ask thy blessing upon him whom we now inaugurate as Governor of this state. Hear our prayer for him — O Lord, bless Thy servant Hugh, and the State of New Hampshire.

Through Jesus Christ our Lord. *Amen.*

The Governor-elect, attended by the Council-elect, then came in, and the Honorable Hugh Gregg, Governor-elect, then took and subscribed to the oath of allegiance before the President of the Senate and in the presence of both branches of the

Legislature, whereupon the Honorable Lane Dwinell, President of the Senate, made proclamation as follows:

Hugh Gregg, having been duly elected Governor of New Hampshire, accepted the office and taken the oaths prescribed by the Constitution, I do hereby declare and proclaim His Excellency, Hugh Gregg, Governor of the State of New Hampshire, to hold office during the period prescribed by the Constitution and Laws of the State, and I present Your Excellency with a copy of the Constitution of the State as a guide in the discharge of your official duties.

The Honorable Council, George H. Keough, C. Wesley Lyons, Romeo J. Champagne, and John P. H. Chandler, Jr. then took and subscribed to the oath of allegiance before His Excellency, Governor Hugh Gregg.

His Excellency, Governor Hugh Gregg, then read the following mesage:

INAUGURAL ADDRESS

January 8, 1953

Mr. Speaker, Mr. President, Members of the General Court:

No greater honor can befall any citizen of our great state than to have the privilege of addressing this body as the Governor of New Hampshire. Words are inadequate to express my feeling of pride and gratitude at this moment.

We all share in the distinction which has come to my capable predecessor, the Honorable Sherman Adams, whose effective leadership as our Governor was recognized when he was chosen to fill one of the highest positions of responsibility in our national government. We all wish him well in his new duties.

I also wish to pay tribute to my neighbor and friend, the man who has served us so well in these past months as our Acting Governor, the Honorable Blaylock Atherton.

It would be presumptuous of me to follow the traditional pattern of an inaugural address because most of you have been more closely associated with the operations of our state government than I. It is my responsibility to serve with you to meet the obligations of trust bestowed upon us by our fellow citi-

zens. We should strive to fulfill our duties efficiently and expeditiously. To that end, I pledge my wholehearted cooperation.

Our heritage commands us to look back with gratitude to the accomplishments of past generations. I urge upon us all a revival of pride in our wonderful state.

Three hundred and thirty years ago this spring, the first white settlements were founded in the wilderness which is now New Hampshire. In the first century, our ancestors fought the Indians, threw back the wilderness and tamed the land until it was fit for human habitation. By the early 1700's, New Hampshire had upwards of twelve thousand sturdy and courageous people residing within its thirty-eight chartered towns.

The second century saw founded our first newspaper, our first stage roads and witnessed the beginning of Dartmouth College. Robert Rogers led his rangers to Quebec. The colony was divided into five counties, each one of which is still functioning under its original name.

Soon thereafter New Hampshire became the ninth state to join the union — a union formed primarily to provide a common defense, to establish justice and to secure the blessings of liberty to the people. We adjusted to the tremendous changes of the industrial age, and during this era of the progressive movement, New Hampshire led the way in social legislation.

It is for us and other free political entities who are now being attacked both from within and without by the advocates of an atheistic philosophy of government to reaffirm the faith of our forefathers in God and His divine providence.

It is for us to remember the contributions New Hampshire men and women have made by overcoming through God every obstacle which fate has thrown in their way since 1623. It is for us to believe that with such an inheritance we cannot but do likewise.

Yet, all these accomplishments were achieved without nature having endowed our state with an abundance of true wealth. True wealth is no more than our natural resources.

We had great virgin forests, but that resource has long since been plundered and must now be painstakingly restored. The ice cap which once covered the Granite State left a heritage of picturesque, but worthless rocks, mixed with a thin soil. We have little wealth to mine or quarry. We have water

for power, but must supplement it with imported fuels to generate sufficient power for our needs. We do have scenic wonders aplenty, and a climate which challenges our ingenuity and resourcefulness, but it is the hard work and native talents of our people which have made much of little.

In our economy, agriculture has had rough sledding. But, with the advent of improved roads, rural electrification, mechanization and specialization, New Hampshire farming is being given a new lease on life. We still do not produce foodstuffs sufficient to meet our own requirements, and we must import the difference for which we must pay from other earnings.

Though by good fortune we have always been highly industrialized, the goods we manufacture have to be sold outside the state to pay for the raw materials we must import to make our products. It is necessary for us to expand continuously our industrial development, while maintaining our high level of employment standards in creating these new jobs.

Free trade means competition. It means freedom to travel. shire to survive and grow in an ever more competitive national To maintain the balance of trade, which permits New Hampsociety, we have to export our climate, scenic and wildlife attractions increasingly — a form of export which has to be delivered at the factory.

New Hampshire's economy is based upon agriculture, industry and recreation. As long as these activities are profitable, then our citizens and state will be prosperous.

Yet, from these three major segments of our economy, we still only manage to maintain a standard of living which is about average for the United States. If we will further develop this basic economy, then, without new broad base taxes, we can have better schools, better roads, adequately compensated state employees and better state departments to serve the needs of all of us.

In my studies of state budget requests and of the revenues which the state and its political subdivisions receive, I have come to the conclusion that the financing of public services in New Hampshire presents increasingly serious problems. Our revenues are not equalling our expenditures. Reserves accumulated in the war years are being used to balance the budget.

At the same time, some of the current taxes we do have are not good taxes. The head tax is, at best, an unpopular temporary tax. The stock-in-trade tax is inequitable, difficult to

assess and subject to abuse. The interest and dividends tax is a tax upon frugality, foresight and risk capital, paid by only a few, with no consideration given to one's earned income. In our towns and cities, the tax burden upon real estate is becoming excessive.

The solution of these tax problems is not, in my opinion, to be found by the substitution or addition of new broad base taxes at this time. I refer specifically to the sales or income tax. I shall oppose any proposal calling for the enactment of either of these taxes in this session of the legislature. One reason for my taking this stand is because of the probability that the federal administration will give new leadership to the working out of an agreement for a clear-cut division of taxing authority between it and the individual states. I am also confident there will be some relief from the federal income tax burden in the next two years.

At the same time, although many recent studies have been made to improve our tax structure, it seems to me the problem needs a new approach. In the past, tax commissions have usually been dominated by so-called "experts." It is the people who must pay taxes to support the services they, the people, demand of government.

I, therefore, propose a citizens' committee to report to the 1955 legislature on the question of: how should revenue be raised to support the essential services of our state?

On this committee, I would like to see such taxpayers as a housewife, a workingman, a merchant, a manufacturer, a professional man and a farmer. I would not include the so-called "tax experts," members of the legislature or representatives of the administrative departments of state government. The committee should be authorized to employ such technical help as it needs. It should not be called a tax commission, for it would concern itself with far more than taxes. It would also study the need for our state services which require all of this current and proposed revenue.

So much for the long range problems of the state.

Our immediate concern is with the biennium which begins less than six months from today. That biennium, barring some unforeseen catastrophe beyond our control as a state, promises to embrace an era of continued national prosperity. We should capitalize on this opportunity to get our house in the best possible order during this favorable period. In my budget message which I hope to submit soon, I shall indicate

my detailed recommendations for improvements in the state's fiscal policies.

The future leaders of our state and nation are the children in our school system today. Effective education, based on good ethics, is the precondition of all the other freedoms we enjoy in this country. If we are to preserve our American way of life, then we must see to it that our citizens understand the operation of our democratic processes. These things can only be taught through a school system which is free of unnecessary and unreasonable regimented controls by government. It must be a system which itself enjoys the very privilege of the freedoms which it teaches.

While we recognize that by the natural law, the primary right and duty to educate children belongs to their parents, under our constitution education is an obligation of the state. In New Hampshire our public school system should be the best of any state in the union. Our State Department of Education should set certain minimum standards for all of the schools of our state and see that all the communities of our state are enabled to meet these standards. All New Hampshire children should be entitled to the same minimum education regardless of whether they happen to live in a wealthy town or one which has a low total property valuation.

While state aid to education is essential and must automatically be granted for our "distress areas," we should always recognize the dangers incident to its operation and be sure it is always effectively administered in the best interests of the welfare of the whole of our state and all of our citizens.

State aid, whether it be for education, highways, health or anything else, represents tax dollars collected from the citizens of New Hampshire which we have paid into our State Government. It does not come to us as a gift as many people seem to believe; it is merely a return to us of a small, unexpended portion of the money which we had previously paid to the state in taxes. Money raised locally and spent locally usually goes further.

We must not lose sight of the fact that state aid is not an economical way to finance our school system. When we send our income tax dollar to Washington, the State of New Hampshire gets back only ten cents in Federal Programs. To a limited extent the same is true in dollars paid in taxes to our State Government, because the very administrative processes of centralization cost money to operate. Remember this, no govern-

ment, federal or state, can give you anything which it has not first taken away from you.

Insofar as possible, the approach to financing the increased costs of government should be made through increasing its income from its existing sources of revenue. The Federal Government has preempted the tax field to the point where the average person can no longer afford to pay any more taxes. In New Hampshire we should try to find the necessary additional revenue to operate our State Government by bringing new wealth into the state and not by increasing the tax burdens on those of us already here.

Today, as a state, we are in a highly competitive market in attempting to "sell" New Hampshire as against the very progressive promotional programs of other states. Right now, probably more than at any other time in our history, we have a better potential to bring new wealth into our state. New Hampshire has more to offer for a balanced economy and good living than any other state in New England, yet our state government is doing practically nothing to advertise New Hampshire's advantages. What success New Hampshire has had in inducing new wealth into the state during the past two years has been largely the result of funds spent for publicity by private enterprise.

For the welfare of all of us, I believe the State of New Hampshire has just as much responsibility to spend money to promote itself in the interests of the further development of agriculture, industry and recreation as it has to supervise the operation of our school system or build our roads. The state should asume the leadership in all promotion for New Hampshire and give generously of its assistance to cooperate with private enterprise in "selling" our state.

It is more than the particular hotel, tramway, farm, industrial building, skilled worker or public utility which brings new wealth to our state; it is the magic of the words "New Hampshire." This new wealth comes primarily to our state because of the advantages of living in New Hampshire and not entirely from salesmanship at the local level.

Whether a new farm is developed in Coos County, a new manufacturing plant locates in Keene or new recreational business comes to our seashore — in the aggregate, it is going to mean more revenue for our state, and better, cheaper living for all of us. We must have complete cooperation between those groups who are directly interested in promoting any one

of the three phases of our total economic pattern of agriculture, industry and recreation. Not only are all of them mutually dependent upon each other, but all are directly dependent upon the good living which New Hampshire offers all of its citizens. Consequently, all of us, the state, individual citizens, and private business enterprise, alike, should be working together to publicize New Hampshire as a package.

If we are to survive the inflationary costs of government, doing business and family budgets, private enterprise must recognize the necessity for increased economic development of the state. There has been formed a privately financed promotional agency known as, *This is New Hampshire, Incorporated,* with the purpose of pooling some of the advertising funds of all private enterprise of the state to create one substantial private fund to promote effectively the advertising of New Hampshire as an integral unit. This is a most encouraging sign for New Hampshire's future. It means that there are forward-looking citizens of our state who are willing to give of their time and money to insure a steady growth of prosperity and better living for all of our people.

As a part of my program for the economic development of New Hampshire, I shall recommend that the State of New Hampshire appropriate a substantial sum of money for direct advertising. I shall recommend that the public funds so provided shall be spent in coordination with any substantial amount of pooled funds from private enterprise for an overall publicity program to promote the agricultural, industrial and recreational resources of our state. I would hope that the total private contributions would be equal to at least the amount of the public funds appropriated. If this is accomplished, then New Hampshire will be in a position to spend sufficient monies to become competitive with other states in one effective publicity program to promote New Hampshire for the indirect benefit of everyone.

But, before we can accomplish any of these things which will result in a more effective government, we must have the cooperation of state employees who are enthusiastic about their work because they know they are doing a job and are being paid wages reasonably comparable to those of similar public servants elsewhere. From the limited experience I have enjoyed with my fellow state employees during the past two months, I feel sure we will be able to pull together as a team to give you the kind of service you should have from us. I am

pleased to report that I have already discussed the budget problems with all department heads. We shall always stand ready to advise you of any or all of our activities as you may see fit to inquire.

In closing, let me say that I appreciate the responsibility which has been placed upon me as your governor. I approach the task humbly and intend to do my utmost to safeguard the interest of the greatest number, to be considerate and fair in all decisions. There will be disagreements, as there always have been in the past. But in the long run, it has been the amicable resolving of our differences of opinion which has made our democratic way of doing things the very finest on this earth and which will make New Hampshire an even better state than it is today.

To all of you, my sincere best wishes for the year ahead!

Benediction was offered by the Reverend Thomas J. Connor, pastor of Saint Mary's Church, Dover.

Almighty and Eternal Father, look down with favor upon Thy children humbly prostrate before Thee. Realizing that the incest of human minds is still fallible, that the strongest of human wills is still weak, we beseech Thee to supply what is wanting in us by an abundance of Thy Divine Grace and Blessing.

Bless our Governor, guide him and sustain him in his arduous duties as our Chief Executive.

Bless our Legislators, that their deliberations may result in wise and just laws, enacted for the common good.

Bless the Judiciary, that their interpretation of laws may be ever in accordance with the dictates of right reason, that the justice they administer may be tempered with mercy.

Bless our Beloved State, that peace and concord may prevail among our citizens.

Bless our Nation, that it may be worthy of the exalted position of leadership which Thou, in Thy Providence, hast given it.

These Blessings we ask with confidence, for we ask them in the Name of Thy Divine Son, Our Lord and Saviour Jesus Christ.

On motion of Senator Cleveland of District No. 7 the convention rose.

House

Resolutions

On motion of Mr. Spaulding of Hudson.

Resolved, That the House of Representatives has listened with gratification to the message of Governor Hugh Gregg and hereby expresses to him the high esteem in which we hold him.

On motion of Mr. Geisel of Manchester:

Resolved, That the House of Representatives have the address of Governor Hugh Gregg printed in the Journal and that 500 additional copies be printed in pamphlet form.

On motion of Mr. Wadleigh of Milford, the rules were suspended and business in order in the afternoon was made in order at the present time.

On motion of Mrs. Brungot of Berlin at 12:35 o'clock the House adjourned.

TUESDAY, JANUARY 13, 1953

The House met according to adjournment.

Prayer was offered by Rev. Austin Reed of Goffstown.

Almighty and Everlasting God, Maker and Ruler Supreme, we bow in humble reverence before Thee, we acknowledge Thy majesty and power and we implore Thy blessing upon these the opening days of our General Court. Standing face to face with the duties and responsibilities that lie before us, and realizing that their fulfillment requires more than human strength, keep us every humble enough to be conscious of our personal weakness and strong enough in faith to ever rely on Thee. Direct us, O God, in all that we do and say. Imbue our thinking with Thy Spirit that, our actions may glorify Thy Holy Name and redown to the welfare of commonwealth. *Amen.*

Leaves of Absence

Messrs. Geisel of Manchester and Davis of Cornish were granted leave of absence for the day on account of important business.

Messrs. Hoyt of Laconia, and French of Weare were granted leave of absence for the day on account of illness.

Committee Appointments

The Speaker announced the following appointments of standing committees:

Note — Room assignments may be changed until booklet is printed.

AGRICULTURE

Spollett of Hampstead, Chairman
Peaslee of Merrimack, Vice-Chairman

Littlehale of Durham
Holmes of Boscawen
Davis of Cornish
Fox of Lisbon
Sheehy of Newfields
Warren of Lyndeboro
Smith of Langdon
Reid of Litchfield
Nickerson of Tamworth
Flint of Milan
McCarthy of Manchester
Lagueux of Somersworth
*Ladd of Epping
Sullivan of Manchester
Waling of Keene
Lesmerises of Manchester
Morin of Laconia
Dutilly of Nashua
Thibeault of Pembroke

APPROPRIATIONS

McMeekin of Haverhill, Chairman
Ferguson of Pittsfield, Vice-Chairman

Bell of Plymouth
Peever of Salem
Scamman of Stratham
Merrill of Hampton
McDaniel of Nottingham
Billings of Westmoreland
Fernald of Rochester
Pillsbury of Manchester
Taylor of Whitefield
Loiseaux of Plymouth
Tilton of Laconia
Killeen of Walpole
Davis of Hopkinton
Atwood of Sanbornton
Hodgdon of Tuftonboro
*Barry of Wilton
Baron of Claremont
Betley of Manchester
Sheridan of Berlin

AVIATION

Brown of Laconia, Chairman
Carr of Orford, Vice-Chairman

Adams of Greenfield
Jennings of Goffstown
Nichols of Center Harbor
*Barka of Derry
Clement of Rochester
Cannon of Manchester
Chatrain of Nashua
Shea of Manchester
Moffett of Berlin
Rainey of Manchester
Morrissette of Nashua
Payeur of Pembroke
Horan of Manchester
Charpentier of Somersworth
Farwell of Brookline
Sweeney of Nashua
Hurley of Manchester

BANKS

Geisel of Manchester, Chairman
Cummings of Peterboro, Vice-Chairman

Parker of Farmington
Crandall of Dover
Freeman of Nashua
Clark of Derry
Wirkkala of Lempster
Boutain of Northumberland
Seel of Plaistow
Wilman of Northfield
*McAllister of Barnstead
Clark of Harrisville
Delisle of Manchester
Bouthillier of Nashua
Tessier of Manchester
Douphinette of Franklin
Leclerc of Manchester
Maynard of Nashua
Nolan of Manchester
DuDevoir of Hooksett
Lyons of Manchester

EDUCATION

Vaughan of Newport, Chairman
Young of Pittsfield, Vice-Chairman

Landers of Keene
Swain of Barrington
Woodward of Waterville
Patenaude of Henniker
Gingras of Ashland
Saltmarsh of Concord
Bell of Hollis
Stearns of Durham
Dutton of Peterboro
Ford of Wolfeboro
Fellows of Dover
Hayes of Northumberland
Smart of Portsmouth
DeLude of Unity
McReel of Exeter
Robinson of Gorham
Martel of Manchester
Nutter of Epsom
*Hundley of Portsmouth

ELECTIONS

Willey of Campton
Moore of Bradford
Morey of Hart's Location
Casey of Manchester
Flannagan of Dover

ENGROSSED BILLS

Landers of Keene
Corliss of Manchester
Mahoney of Concord
*Hyde of Andover
Hundley of Portsmouth

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

Rainie of Concord, Chairman
Parmenter of Londonderry, Vice-Chairman

Hayes of Concord
*Horner of Thornton
Chamberlin of Bath
Powell of Sutton
Haigh of Salem
Richards of Exeter
Bennett of Keene
Reid of Goffstown
Hepworth of Derry
Perley of Lebanon
Fuller of Hanover
Griffin of Auburn
Gamsby of Sunapee
Goodwin of Hudson
Hadley of Hillsboro
Longchamps of Littleton
Temple of Nashua
Fitzgerald of Manchester
Grimes of Dover

FISH & GAME

Washburn of Bartlett, Chairman
Blake of Swanzey, Vice-Chairman

*Metcalf of Tilton
Kimball of Jefferson
Sargent of Danbury
Anderson of Warren
Hilliard of Pittsburg
Burnham of Alstead
Rolfe of Rochester
Thurlow of Hampton Falls
Eggleston of Canaan
Tebbetts of Concord
Thompson of New Ipswich
Simonds of Lancaster
Brock of Atkinson
Stockwell of Holderness
Holden of Newport
Brown of Loudon
Emerson of Dalton
Jannelle of Nashua
Stinson of Stratford

INSURANCE

Lamson of New London, Chairman
Hambleton of Goffstown, Vice-Chairman

Walker of Concord
Abbott of Hudson
Oakes of Columbia
Howard of Piermont
Firestone of Claremont
Barton of Keene
Webb of Dover
Hodge of Sandwich
Wardwell of Portsmouth
Pelletier of Nashua
Chapdelain of Manchester
Dionne of Nashua
Kean of Manchester
Grandmaison of Nashua
Smith of Manchester
*Sadler of Portsmouth
Dussault of Berlin
Langlois of Manchester
Carignan of Rochester

INTERSTATE CO-OPERATION

The Speaker
Peever of Salem
Otis of Concord
Millar of Claremont
Kearns of Manchester

JOURNAL

The Speaker
Horner of Thornton
Young of Pittsfield

JUDICIARY

Wells of Newton, Chairman
Dixon of Lyme, Vice-Chairman

Wadleigh of Milford
Holden of Hanover
*Cooper of Nashua
Jones, F. A. of Lebanon
Brungot of Berlin
Studley of Rochester
Matthews of New Hampton
Atkins of Hanover
Hill of Conway
Frizzell of Charlestown
Saidel of Manchester
Faulkner of Keene
Perkins of Concord, Ward 3
Brown of Strafford
Holmes of Amherst
Codding of Keene
Bemis of Somersworth
Healey of Manchester, W. 6
Eastman of Kensington

LABOR

Angus of Claremont, Chairman
Diffenderfer of Ossipee, Vice-Chairman

Cushing of Derry
Haley of Keene
Robertson of Gilmanton
Maxfield of Rochester
Jones, V. G. of Lebanon
Comi of Concord
Keenan of Dover
Jones of Fremont
Hancock of Concord
Varrell of Laconia
Belcourt of Nashua
*Brosnahan of Nashua
Callahan of Manchester
Lacasse of Rochester
Fortin of Greenville
Lareau of Manchester
Shea of Nashua
O'Neil of Manchester
Thibodeau of Manchester

LIQUOR

Foote of Portsmouth, Chairman
Poore of Goffstown, Vice-Chairman

Nawn of Concord
Gale of Jackson
Yeaton of Portsmouth
Nahil of Claremont
Danforth of Manchester
McCaffery of Newcastle
Corbett of Concord
Lorden of Enfield
Alls of Colebrook
Kirk of Keene
Deans of Milford
Bouchard of Berlin
Healey of Manchester, W. 5
*LaBranche of Newmarket
Bergeron of Manchester
Gauthier of Manchester
Marcotte of Claremont
Leary of Portsmouth
Attalla of Manchester

MILEAGE

Crandall of Dover
Clark of Derry
Adams of Greenfield
Bouchard of Berlin
Smith of Manchester

MILITARY AFFAIRS

Chase of Dover, Chairman
Youmans of Warner, Vice-Chairman

Hollis of Antrim
Swett of Lancaster
O'Shan of Laconia
*Zoffoli of Portsmouth
Vaillancourt of Manchester
Gagnon of Manchester
Dumais of Nashua
Paradis of Manchester

Kipp of Meredith
Mailloux of Pelham
Ingraham of Portsmouth
Ayers of Nashua
Dodge of Concord
Letourneau of Somersworth
Cavanaugh of Manchester
Soucy of Manchester, W. 12
Baron of Allenstown
Poirier of Manchester

MUNICIPAL AND COUNTY GOVERNMENT

Eldredge of Exeter, Chairman
Willey of Campton, Vice-Chairman

Cilley of Concord
French of Weare
Smith of Meredith
Gardner of Littleton
Walker of Hinsdale
Jewett of Concord
Thomas of Dublin
Jordan of Plainfield
Kenneson of Eaton
Leonard of Franklin
Wastcoat of Candia
Williams of Grafton
Durkee of Seabrook
Kimball of Moultonboro
Brown of Easton
Cary of Manchester
Ryan of Nashua
Pappagianis of Nashua
*Payette of Portsmouth

PUBLIC HEALTH

Green of Rollinsford, Chairman
Rhodes of Walpole, Vice-Chairman

Ramsdell of Nashua
*Otis of Concord
Clow of Wolfeboro
Pinkham of Northwood
Leighton of Dover
Peaslee of Wakefield
Hoyt of Laconia
Noyes of Salem
Maloney of Gilsum
Ferrin of Concord
Simoneau of Laconia
Roy of Manchester
Constant of Manchester
Barrett of Portsmouth
Fontaine of Berlin
Auger of Manchester
Flanagan of Dover
Dugas of Nashua
Dupont of Manchester

PUBLIC WELFARE AND STATE INSTITUTIONS

Black of Bennington, Chairman
Millar of Claremont, Vice-Chairman

Corliss of Manchester
Roe of Newport
Benson of Conway
Howe of Claremont
Hyde of Andover
Joyce of Portsmouth

*Maxham of Concord
Heald of Keene
Stafford of Laconia
Mahoney of Concord
Hayward of Hanover
Karagianis of Laconia
Lang of Manchester
Sewall of Newmarket
Ross of Gorham
Nelson of Rochester
Theriault of Berlin
Donnelly of Manchester
Thompson of Franklin

PUBLIC WORKS

Ingham of Winchester, Chairman
Falconer of Milford, Vice-Chairman

Moore of Bradford
*Spaulding of Hudson
Horne of Milton
Adams of Lebanon
Weeks of Greenland
Perkins of Alton
Soucy of Manchester, W. 1
Philbrick of Rye
Carlton of Marlboro
Weeks of Stewartstown
Perry of Newport
Morey of Harts Location
Carter of North Hampton
Wiggin of Bedford
Sawyer of Woodstock
Burbank of Laconia
Hinchey of Berlin
Burke of Franklin
Clancy of Manchester

RULES

Speaker's Office

The Speaker
Pillsbury of Manchester
Wells of Newton
Dort of Chesterfield
Spaulding of Hudson
Kearns of Manchester
Barry of Wilton

RESOURCES, RECREATION & DEVELOPMENT

Dort of Chesterfield, Chairman
English of Hancock, Vice-Chairman

Hart of Laconia
Cole of Lebanon
Roeder of Belmont
Thompson of Winchester
Locke of New Boston
Ring of Hampton
Barney of Rumney
Funkhouser of Durham
Mafera of Raymond
Metcalf of Springfield
Flanders of Bow
Murch of Portsmouth
Wheeler of Keene
Broadhurst of Franklin
Nehring of New Durham
Peabody of Franconia
Lessels of Concord
Genest of Manchester
*Lang of Troy

TRANSPORTATION

Whittier of Bethlehem, Chairman
Maynard of Fitzwilliam, Vice-Chairman

Colburn of Nashua
Marden of Chichester
Holden of Newington
Sleeper of Haverhill
Blanchard of Farmington
Vogel of Canterbury
*Belletete of Jaffrey
Sweeney of Keene
Connell of Dover
Robb of Manchester
Wormhood of Madbury
Dudley of Brentwood
Mulaire of Hooksett
Marcotte of Dover
Henderson of Berlin
Roche of Manchester
Boire of Nashua
Connor of Manchester
Stone of Claremont

WAYS AND MEANS

Griffin of Lincoln, Chairman
Hazelton of Chester, Vice-Chairman

Kershaw of Swanzey
Spofford of Jaffrey
Downs of Conway
Sherwin of Rindge
Plummer of Bristol
Rathbone of Exeter
Waterhouse of Windham
Ashley of Lebanon
Bunten of Concord
Locke of Dover
Martin of Littleton
Gardner of Gilford
Christiansen of Berlin
Converse of Claremont
Cain of Manchester
Kearns of Manchester
Malley of Somersworth
Casey of Manchester
*St. Pierre of Rochester

Special Committee Report

Mr. Scamman of Stratham, for the Committee on Assignment of rooms, submitted the following report:

Agriculture—Room Right Entrance, Armory

Appropriations—Room 318, State House

Aviation—Patriot Bldg., Liquor Commission

Banks—Room 301, State House

Education—Library, Education Commission, State House Annex

Elections—Room 410, Annex

Engrossed Bills—Secretary of State

Executive Departments and Administration—Room 317, State House

Fisheries and Game—State Library
Insurance—Room 208W, Annex
Interstate Cooperation—Secretary of State
Judiciary—Room 308, State House
Labor—Room, Right Entrance, Armory
Liquor Laws—Patriot Bldg., Liquor Commission
Mileage—Room 317
Military and Veterans' Affairs—Room, Left Entrance, Armory
Municipal and County Government—Room 207, Annex
Public Health—Room, Left Entrance, Armory
Public Welfare and State Institutions—Room, Left Entrance, Armory
Public Works—Room 305, Annex
Resources, Recreation and Development, Room 207, Annex
Rules—Speakers Office
Transportation—Room 305, Annex
Ways and Means—Room 306, State House
Journal of the House—Clerk's Desk

The Speaker announced that for this session the duties of Majority Leader will be performed by Mr. Pillsbury, the member from Manchester.

Letter of Resignation

The Honorable Speaker of the House of Representatives
Concord, New Hampshire.

Sir:

It is with regret that I find it necessary to resign my position as Representative from Kingston to the General Court.

Owing to a change in my office personnel I find it quite impossible at the present time to fulfill justifiably any new obligation.

Yours faithfully,

RAY L. MERRILL

The letter of resignation was referred to the Committee on Elections.

Communication

The following letter was read by the Speaker.

To the Members of the 1953 Senate and House of Representatives:

The Concord Police Department has been given authority by the City Government to extend to you the usual parking courtesies during your stay in Concord. We wish to cooperate with you in every way while you are in the City and in turn we would like to receive your support in assisting us with our ever increasing parking problem.

We wish to request that you do not park in the metered areas and no all night parking at anytime. There is space available for parking at the rear of Angelo's Restaurant and Stickney Avenue where all day parking is permitted.

I am enclosing a copy of the letter from the Concord Chamber of Commerce so that you may understand what a problem this is for business people in the City.

Commissioner Clarke will have stickers available for members of the 1953 Legislature and will be issued to you upon request.

I hope that this situation may be worked out to the satisfaction of all concerned and, if, at anytime, this Department may be able to render you any assistance while you are in the City, please do not hesitate to call on us.

Yours very truly,

ARTHUR W. McISAAC,
Chief of Police

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mr. Kearns of Manchester, House Bill No. 53, An Act relative to selection of seats by members of the house of representatives. To the Committee on Judiciary.

By Mr. Brown of Strafford, House Bill No. 54, An Act to regulate the sale and distribution of commercial feeds in the state of New Hampshire. To the Committee on Agriculture.

By Mr. Sargent of Danbury, House Bill No. 55, An Act relating to the taking of deer. To the Committee on Fish and Game.

By Mr. Sargent of Danbury, House Bill No. 56, An Act relating to licenses under fish and game laws. To the Committee on Fish and Game.

By Mrs. Otis of Concord, House Bill No. 57, An Act relative to meetings of the board of trustees for the state sanatorium. To the Committee on Public Welfare.

By Mr. Wheeler of Keene, House Bill No. 58, An Act relative to qualifications for voting and issuance for transfer cards. To the Committee on Executive Departments and Administration.

By Mr. Sargent of Danbury, House Bill No. 59, An Act relative to shooting human beings while hunting. To the Committee on Fish and Game.

By Mr. Perkins of Ward 3, Concord, House Bill No. 60, An Act to increase the salary of the Justice of the Municipal Court of Concord. To the Delegation from the city of Concord.

By Mr. Perkins of Ward 3, Concord, House Bill No. 61, An Act relative to the salary of the special justice of the municipal court of Concord and per diem for justices of the peace. To the Delegation from the city of Concord.

By Mr. Stearns of Durham, House Bill No. 62, An Act relative to Durham Historic Association. To the Committee on Judiciary.

By Mr. Brown of Laconia, House Bill No. 63, An Act relating to spirituous liquor and beverages. To the Committee on Liquor Laws.

By Mr. Ladd of Epping, House Bill No. 64, An Act increasing certain fees for town clerks. To the Committee on Municipal and County Government.

By Mrs. Hundley of Portsmouth, House Bill No. 65, An Act relative to naming certain bridges over the Blue Star Memorial Highway in the city of Portsmouth. To the Committee on Public Works.

By Mr. Geisel of Manchester, House Bill No. 66, An Act relative to placing or throwing obstructions onto highways and other public places. To the Committee on Public Works.

By Mr. Walker of Concord, House Bill No. 67, An Act relating to reimbursement for support of county and town

paupers. To the Committee on Municipal and County Government.

By Mr. Philbrick of Rye, House Bill No. 68, An Act relative to the salary of the solicitor of Rockingham County. To the Committee on Municipal and County Government.

By Mr. Lesmerises of Manchester, House Bill No. 69, An Act relative to on-sale liquor permits. To the Committee on Liquor Laws.

By Mr. Holden of Hanover, House Bill No. 70, An Act relating to destruction of documents, checks and papers in the state treasurer's files. To the Committee on Executive Departments and Administration.

By Mrs. Otis of Concord, House Joint Resolution No. 9, Joint Resolution providing for a deficiency appropriation for communicable disease control. To the Committee on Appropriations.

Resolutions

Mr. Metcalf of Tilton offered the following resolution:

Whereas the report of the Legislative Council and the Tri-State Interim Commission is a most comprehensive and valuable aid toward expediting the business and reducing the expense of this 1953 session of the General Court and

Whereas, careful perusal of this report discloses that the members of the Legislative Council and the Tri-State Interim Commission have, without additional compensation, devoted endless tedious hours to the hearings, research, study, discussion and travel necessary to the compilation of such an orderly and comprehensive report, therefore be it

Resolved, that this House of Representatives express its grateful appreciation of their unselfish efforts and be it further

Resolved, that the Clerk of the House transmit a copy of these resolutions to each member of the Council and the Commission.

On a *viva voce* vote the resolution was adopted.

Mr. Barry of Wilton offered the following resolution:

Resolved, That the Clerk be instructed to procure 1500 copies of standing committees in booklet form.

On a *viva voce* vote the resolution was adopted.

Mr. Matthews of New Hampton offered the following resolution:

Resolved, That the following policy be established for the distribution of House Journals, Bills and Joint Resolutions to legislative agents, corporations and other persons, except the members of the General Court and State Departments:

1. Every citizen is entitled to one copy of any publication free of charge at the legislative counter or to have the same mailed to him free of charge upon individual request for such one copy.

2. Persons requesting copies of all publications delivered complete for the entire session will be charged a fee sufficient to cover postage, envelopes and handling. Such fees may be prorated where service is received for portions of the session only. All fees will be payable in advance.

3. All fees charged hereunder shall be fixed by the Seargeant-at-Arms with the approval of the Speaker and shall be collected by the Seargeant-at-Arms and paid in to the State Treasury and credited to the legislative appropriation. Any House attache who works overtime to furnish any of the services hereunder shall be allowed such additional sum for his overtime services as the Appropriations Committee shall deem fair and reasonable.

The question being on the adoption of the resolution.

(Discussion Ensued)

Mr. Matthews of New Hampton spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

Concurrent Resolutions

Mr. Kearns of Manchester offered the following concurrent resolution:

Whereas, Tuesday, January 20 is Inauguration Day for the President of the United States it is

Resolved that the working days of the Legislature for that week shall be Wednesday, Thursday and Friday, January 21, 22 and 23.

On a *viva voce* vote the concurrent resolution was adopted.

Mr. Ferguson of Pittsfield offered the following concurrent resolution; and moved that it be laid upon the table, and be made a special order for Thursday, January 15, at 11:01 o'clock.

Resolved by the House of Representatives, the Senate concurring, that the Joint Rules of the 1951 Senate and House of Representatives be adopted as the Joint Rules of the 1953 Senate and House of Representatives with the following amendments:

Amend Rule 12 of the Joint Rules of the Senate and House of Representatives by striking out the word "Tuesday" in the third and last lines and inserting in place thereof the word, Thursday; further amend by inserting in the third line after the word "session" the words, nor shall such matters be received in either branch of the legislature from State officers, departments or agencies unless they have been previously filed with the Secretary of State during the month of December, so that said rule as amended shall read as follows:

12. No bill, joint resolution, claim outstanding on the first day of the session, or petition relating to new business shall be received in either branch of the legislature after the third Thursday of the session, nor shall such matters be received in either branch of the legislature from state officers, departments or agencies unless they have been previously filed with the Secretary of State during the month of December, unless reported by the Committee on Rules; provided that this rule may be suspended in either House whenever two-thirds of the whole number of elected members shall, on division taken, vote in favor thereof, and not otherwise. A bill, joint resolution, claim or petition shall be considered as having been received within the meaning of this rule if it shall have been delivered to the Clerk of the House in which it is introduced on or before five o'clock in the afternoon of said third Thursday of the session.

Amend the joint rules of the Senate and the House of Representatives by adding the following new rules:

13. Committees shall make final report on or before the third Thursday of March on all matters referred to them on or before March 1. On matters referred to them subsequent to March 1, report shall be made within twelve legislative days of such reference. (The Committee on Rules in each branch may grant an extension of time on specific matters to specified

committees.) All matters upon which no report has been made, when the time within which a committee was required to report has expired, shall be reported by the Chairman of the committee within three days recommending reference to the next General Court.

14. Unless reported by the Committee on Rules, no bills legalizing town, school district and precinct meetings and actions taken at such meetings shall be admitted unless bearing the written approval of the majority of the selectmen of the town, of the school board of the district, or of the precinct commission, as the case may be. Such bills shall be submitted to the Attorney General's office for examination as to the propriety and legality, and, except in cases of emergency, shall be consolidated into a single bill to be submitted to the legislature near the end of the session.

15. Unles reported by the Committee on Rules, no bills providing for amendments to existing city charters, and for establishing or changing salaries or pensions of city employees shall be admitted unless previously approved by the city council of the city in question.

The question being on the motion of the member from Pittsfield.

(Discussion Ensued)

Mr. Ferguson of Pittsfield spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Special Order

Mr. Soucy of Manchester, Ward 1 called for the special order, it being the drawing of seats.

Order Vacated

Mr. Soucy of Manchester, Ward 1 moved that the order for drawing of seats be vacated, and the seats be allotted by the appointed committee.

The question being on the motion of the member from Manchester, Ward 1.

(Discussion Ensued)

Messrs. Soucy of Manchester Ward 1, and Hart of Laconia spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Qualified

Messrs. Saidel and Cannon of Manchester, Ross of Gorham, Thompson of Winchester, and Walker of Hinsdale having appeared before His Excellency the Governor, appeared during the session and took their seats as members of the House.

On motion of Mr. Wadleigh of Milford, the rules were suspended and business in order at 3:00 o'clock be in order at the present time.

On motion of Mrs. Ramsdell of Nashua, at 12:05 o'clock the House adjourned.

WEDNESDAY, JANUARY 14, 1953

The House met at 11:00 o'clock.

Prayer was offered by Rev. Austin Reed of Goffstown.

Almighty God, thou God of wisdom and understanding, rid us, we beseech Thee, of the folly of trying to save the world by the false standards of the world, and of trying to meet the needs of our state by mere political expediency. May we seek to do Thy will not merely as a duty but as an opportunity to share with Thee in building a better world. Illumine the drudgery of life with the splendor of Thy Divine purpose, and make our lives attractive to others that they may see our "good works" and be led to realize that we are motivated by higher principles than the baser things of the world. Make us mighty in truth. Teach us to conquer the evil of the world by Thy gospel of mercy. Make us strong in hardship, brave in adventure and untiring in sacrifice. We ask in the name of Christ. *Amen.*

Report of Special Committee

Mr. Perkins of Alton submitted the following report:

The committee appointed by the Speaker, to select a chaplain for the House voted unanimously that the member from Goffstown, the Rev. Austin H. Reed be named chaplain of the House.

The report was accepted.

The question being on recommendation of the committee.

(Discussion Ensued)

Messrs. Perkins of Alton, and English of Hancock spoke in favor of the recommendation.

On a *viva voce* vote the recommendation of the committee was adopted.

Resolutions

Mr. Reed of Goffstown offered the following resolution:

Resolved: that the practice of having guest chaplains, as in previous sessions, be continued.

The question being on the adoption of the resolution.

(Discussion Ensued)

Mr. Reed of Goffstown spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

Attaches Appointed

The Speaker announced the following appointments of attaches, each appointment being conditional upon the agreement of the appointee not to charge in excess of 50 miles travel in case his actual mileage should exceed such limit:

Custodian of Mails and Supplies, Roland Fuller of Concord

Library Messenger, Carl E. Wallace of Laconia

Telephone Messenger, Clarence Dubois of Concord

Temporary Warden of Coat Room, John W. Todd of Goffstown

Temporary Assistant Warden of Coat Room, Randolph Milligan of Newbury

Speaker's Page, William J. Clough of Haverhill

Division Pages, James Martin of Concord, Furber Jewett of Wolfeboro, George J. Heon of Derry, Lucie Weston of Concord, and temporarily appoints Joseph Means of Milan as a Division Page.

The Clerk, with the approval of the Speaker, announced the following appointments:

Speaker's Stenographer: Helene H. Wester

Stenographer for Judiciary Committee: Helen Y. Andrews

Stenographer for Appropriations Committee: Eleanor C. Brown

House Stenographers: Alice V. Flanders, Margaret L. Ford, Marion C. Colby.

Mileage Clerk: Alice Boutwell

Messenger for Judiciary Committee: Palmer Read

Messenger for Appropriations Committee: Eugene Williams

Tellers Appointed

Division 1	Angus of Claremont
Division 2	Barry of Wilton
Division 3	Wadleigh of Milford
Division 4	Holden of Hanover
Division 5	Hart of Laconia

Introduction of Bills

The following bills were severally introduced, read a first and second time, and referred as follows:

By Mr. Nawn of Concord, House Bill No. 71, An act relative to exemption from taxation of certain property of the Concord Police Benevolent Association. To the Delegation from the city of Concord.

By Mr. Moore of Bradford, House Bill No. 72, an act relative to procedure to be followed in state construction contracts and as to authority of public works and highways department. To the Committee on Public Works.

By Mr. Lamson of New London and Mr. Moore of Bradford, House Bill No. 73, An act relative to naming Colby College Highway. To the Committee on Public Works.

Senate Message

A message sent down from the Honorable Senate by its clerk announced that, the Senate refused to concur with the House of Representatives in the passage of the following resolutions:

Whereas, Tuesday, January 20 is Inauguration Day for the President of the United States it is

Resolved, that the working days of the Legislature for that

week shall be Wednesday, Thursday and Friday, January 21, 22 and 23.

Resolutions

Mrs. Cooper of Nashua offered the following resolution:

Resolved, That the rules regarding smoking from 11 to 12 noon during the sessions of the House which were observed during previous sessions be in force for this session.

The question being on the resolution.

(Discussion Ensued)

Mrs. Cooper of Nashua, and Mr. English of Hancock spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

Mr. Crandall of Dover offered the following resolution:

Resolved, That the salary of the members of the House of Representatives be so divided that any member may receive one-fourth of his salary monthly for the first three months, the balance to be paid at the adjournment of the session.

Further Resolved, That mileage of members of the House be paid every two weeks during the session.

On a *viva voce* vote the resolution was adopted.

Mr. Scamman of Stratham offered the following resolution:

Resolved, That a copy of each day's House Journal be mailed to the Delegate elected from each town not entitled to a Representative.

The question being on the adoption of the resolution.

On a *viva voce* vote the resolution was adopted.

Mr. Pillsbury of Manchester offered the following resolution:

Resolved, That the Speaker of the House be authorized to appoint a messenger for the Clerk and Assistant Clerk of the House.

On a *viva voce* vote the resolution was adopted.

Mr. Philbrick of Rye offered the following resolution:

Whereas, Ernest A. Tucker, former Representative from Rye has passed away, and

Whereas, Mr. Tucker has served his community in many capacities, Now therefore be it

Resolved, that we, the members of the House of Representatives of the New Hampshire Legislature, pay tribute to our former fellow member for his service to his community and to the State, and be it further

Resolved, That we extend our heartfelt sympathy to his family in their bereavement and that the Clerk of the House transmit a copy of these resolutions to them.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford, the rules were suspended, business in order at 3:00 o'clock in the afternoon was made in order at the present time.

On motion of Miss Spollett of Hampstead at 11:45 o'clock the House adjourned.

THURSDAY, JANUARY 15, 1953

The House met at 11:00 o'clock.

Prayer was offered by the chaplain.

O God of endless years, we earnestly beseech Thee to give to each of us in this little day of life, some share in the working out of Thy eternal purpose for men and the building of Thy kingdom among men. Show us where we stand: strengthen our weakness with Thy Almighty power; fill our hearts with love and appreciation for all mankind; gird us with patience and cheer us with the confidence of final victory through Thee. Thou Gracious God, hast been generous to us; help us to share that generosity with others. May our faith in Thee inspire faith in others, our courage to stand firm in the midst of adversity give new life to the discouraged, and our vision of better things to come give new hope to those who have lost their hope. We ask this privilege of sharing the things Thou hast given us in the name of Jesus Christ. *Amen.*

Leaves of Absence

Messrs. Ford of Wolfeboro, Mafera of Raymond, Perkins of Alton, Poore of Goffstown, and Maxham of Concord were granted leave of absence for the day on account of important business.

Letter of Resignation

December 14, 1952

Speaker of the House of Representatives:

Dear Sir:

It is with deep regret that I have to offer my resignation to the General Court of Representatives for this coming year. I am from Hollis. I have talked with the selectmen about it but will have to await notice from you before the office can be filled.

Thank you for your trouble.

Yours truly,

HELEN WORCESTER BELL

Hollis, N. H.

On a *viva voce* vote the resignation was accepted.

Committee Report

On motion of Mr. Willey of Campton the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Willey of Campton for the Committee on Elections to whom was referred the petition of Anne Goodwin for a seat in the House of Representatives from the town of Hollis: Having considered the matter, finding that a vacancy exists due to the resignation of the person who was elected at the November election to the House of Representatives from the town of Hollis, on further finding that said Anne Goodwin was elected representative by the voters of her town at a special election held in anticipation of the above vacancy, submits the following resolution and moves its adoption.

Resolved: That the vacancy in representation in the town of Hollis be filled by Anne Goodwin and that she be permitted to qualify as such representative.

The report was accepted.

The question being on the report of the committee.

On a *viva voce* vote the report of the committee was adopted.

Resolutions

Mr. Peever of Salem offered the following resolution:

Resolved, that the Speaker be authorized to appoint a committee of three to screen all literature and other publications which private organizations and others desire to have distributed to the members in their seats.

On a *viva voce* vote the resolution was adopted.

The Speaker appointed as members of such committee, Mr. Peever of Salem, Miss Horner of Thornton and Mr. Moffett of Berlin.

Mr. Wadleigh of Milford offered the following resolution:

Resolved, that permission be granted for the installation of television in the House of Representatives for the Inauguration of President Eisenhower on Tuesday, January 20. Installation to be made by Cole's T. V. Radio & Electronics Co. of Concord.

The question being on the resolution.

(Discussion Ensued)

Messrs. Wadleigh of Milford, Geisel of Manchester, Barry of Wilton, Kearns and Pillsbury of Manchester, and Mrs. Cooper of Nashua spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

Monitors Appointed

The following members are appointed as Monitors and Alternates:

Division I

Seats 1-15 — Mr. Clark of Derry, Mr. Rhodes of Walpole.

Seats 16-30 — Mr. Barney of Rumney, Mr. Sargent of Danbury.

Seats 31-53 — Mr. Hadley of Hillsboro, Mr. Flanders of Bow.

Division II

Seats 1-20 — Miss Spollett of Hampstead, Mrs. Brock of Atkinson.

Seats 21-43 — Mrs. Cooper of Nashua, Mr. Danforth of Manchester.

Seats 44-73 — Mr. McAllister of Barnstead, Mr. Wormwood of Madbury.

Seats 74-91 — Mr. Gambsy of Sunapee, Mr. Locke of New Boston.

Division III

Seats 1-20 — Mr. Wadleigh of Milford, Mr. McDaniel of Nottingham.

Seats 21-44 — Mrs. Corliss of Manchester, Mr. Converse of Claremont.

Seats 45-63 — Mr. Tebbetts of Concord, Mr. Rathbone of Exeter.

Seats 64-86 — Mr. Gardner of Littleton, Mr. Ferrin of Concord.

Seats 87-111 — Mr. Corbett of Concord, Mr. Cain of Manchester.

Division IV

Seats 1-20 — Mr. Hepworth of Derry, Mr. Weeks of Greenland.

Seats 21-44 — Mr. Powell of Sutton, Mr. Cole of Lebanon.

Seats 45-74 — Mrs. Christiansen of Berlin, Mr. Chase of Dover.

Seats 75-90 — Mr. Rolfe of Rochester, Mrs. Fontaine of Berlin.

Division V

Seats 1-15 — Mr. Bell of Plymouth, Mr. Washburn of Bartlett.

Seats 16-39 — Mr. Eldredge of Exeter, Mr. Marden of Chichester.

Seats 40-55 — Mr. Ashley of Lebanon, Mr. Blake of Swanzey.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Cilley of Concord, House Bill No. 74, An Act relative to qualifications for councilmen under the charter of the City of Concord. To the Delegation from the city of Concord.

By Mr. Whittier of Bethlehem, House Bill No. 75, An Act

relative to payment of forest fire expenses in unorganized places. To the Committee on Resources, Recreation and Development.

By Mr. Sweeney of Keene, House Bill No. 76, An Act relative to exemption from income taxes. To the Committee on Ways and Means.

By Mr. Green of Rollinsford, House Bill No. 77, An Act providing for a charge for copies of the manual of the legislature. To the Committee on Executive Departments and Administration.

By Mr. Geisel of Manchester, House Joint Resolution No. 10, Relative to special committee for a study procedure in state institutions for the purchase of foods. To the Committee on Public Welfare and State Institutions.

Printing and Reference Dispensed With

Mr. Geisel of Manchester moved that the rules of the House be suspended, and the printing and reference to Committee of House Joint Resolution No. 10, be dispensed with.

The question being on the motion.

On a viva voce vote the motion prevailed.

Mr. Geisel of Manchester moved that the rules of the House be further suspended to allow the third reading and final passage of House Joint Resolution No. 10 at the present time.

The question being on the motion.

On a viva voce vote the motion prevailed.

The joint resolution was read a third time and passed and sent to the Senate for concurrence.

By Mr. Pillsbury of Manchester, House Joint Resolution No 11, joint resolution providing for expenditures of funds by prison industries. To the Committee on Appropriations.

Mr. Pillsbury of Manchester moved that the rules of the House be suspended and the printing and reference to committee be dispensed with.

The question being on the motion.

(Discussion Ensued)

Mr. Pillsbury of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Pillsbury of Manchester moved that the rules of the House be further suspended to allow for the third reading and finale pasage of House Joint Resolution No. 11 at the present time.

The question being on the motion.

On a *viva voce* vote the motion prevailed.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

Special Order

Mr. Ferguson of Pittsfield called for the special order, it being the Concurrent Resolution for amending the Joint rules of the House and Senate.

The question being on the adoption of the Concurrent Resolution.

(Discussion Ensued)

Mr. Ferguson of Pittsfield spoke in favor of the Concurrent Resolution.

Ruling of Chair

The Speaker ruled that the sections of the Concurrent Resolution be taken up separately.

Mr. Wells of Newton moved that the amendment to rule 12 be adopted.

The question being on the motion.

(Discussion Ensued)

Messrs. Wells of Newton, Pillsbury and Kearns of Manchester, Blake of Swanzey and Mrs. Brungot of Berlin spoke in favor of the motion.

On a *viva voce* vote the motion prevailed, and the amendment to rule 12 was adopted.

Mr. Wells of Newton moved that the joint rules of the House and Senate be amended by adding rule 13.

The question being on the motion.

(Discussion Ensued)

Messrs. Wells of Newton, and Malley of Somersworth spoke in favor of the motion.

Mr. Baron of Claremont offered the following amendment:

Amend Rule 13 by adding at the end thereof the words, Nothing contained in this rule shall be applicable to the Appropriations or Ways and Means Committees of the House or the Finance or Ways and Means Committees of the Senate, so that said Rule as amended shall read as follows:

13. Committees shall make final report on or before the third Thursday of March on all matters referred to them on or before March 1. On matters referred to them subsequent to March 1, report shall be made within twelve legislative days of such reference. (The Committee on Rules in each branch may grant an extension of time on specific matters to specified committees.) All matters upon which no report has been made, when the time within which a committee was required to report has expired, shall be reported by the Chairman of the Committee within three days recommending reference to the next General Court. Nothing contained in this rule shall be applicable to the Appropriations or Ways and Means Committees of the House or the Finance or Ways and Means Committees of the Senate.

Mr. Angus of Claremont moved the previous question.

The question being shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by the member from Claremont.

On a *viva voce* vote the amendment was adopted.

The question being on the amendment to the Joint rule 13 of the House and Senate as amended.

(Discussion Ensued)

Mr. Pillsbury of Manchester and Mrs. Cooper of Nashua spoke in favor of the amendment.

Messrs. Soucy of Manchester, Ward 1, and Healy of Manchester, Ward 6, spoke against the amendment.

On a *viva voce* vote the amendment as amended was adopted.

Vote Recorded

Mr. Soucy of Manchester, Ward 1, and Mr. Healy of

Manchester, Ward 6 were recorded as voting NO on the question of adopting the proposed Joint Rule No. 13.

Mr. Wells of Newton moved that the joint rules of the House and Senate be amended by adding rule 14.

The question being on the amendment.

(Discussion Ensued)

Mr. Wells of Newton spoke in favor of the amendment.

On a *viva voce* vote the amendment adding rule 14 to the joint rules of the House and Senate was adopted.

Mr. Wells of Newton moved that the joint rules of the House and Senate be amended by adding rule 15.

The question being on the amendment.

(Discussion Ensued)

Messrs. Wells of Newton, and Foote of Portsmouth spoke against the amendment.

Mr. Angus of Claremont moved that the amendment be made a Special Order for Wednesday, January 21 at 11:01 o'clock.

The question being on the motion.

(Discussion Ensued)

Messrs. Wells of Newton and Pillsbury of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Reconsideration

Mr. Baron of Claremont moved that the House reconsider its vote whereby it voted to adopt Rule 13 to the joint rules of the House and Senate.

The question being on the motion.

Mr. Soucy of Manchester called for a division.

A division being had, the Speaker declared the vote to be manifestly in the negative, and the motion to reconsider did not prevail.

Reconsideration

Mr. Spaulding of Hudson moved that the House recon-

sider its vote whereby it voted to adopt rule 12 and 14 to the joint rules of the House and Senate.

The question being on the motion.

On a *viva voce* vote the motion to reconsider did not prevail.

Resolution

On motion of Mr. Wadleigh of Milford the rules were suspended, business in order at 3:00 o'clock was made in order at the present time, and that when the House adjourns today it be to meet Tuesday, January 20 at 11:00 o'clock.

Qualified

Mr. Kenneson of Eaton having appeared before His Excellency the Governor appeared during the session on January 15 and took his seat as a member of the House.

On motion of Mrs. Peabody of Franconia at 1:10 o'clock the House adjourned.

TUESDAY, JANUARY 20

The House met according to adjournment.

Prayer was offered by the Chaplain.

"O God, our help in ages past, Our hope for years to come," at this momentous time in our national life, we call upon Thee to be gracious unto us. We commend this nation to Thy merciful care and guidance. Grant to the President and all who assume authority this day, wisdom and strength to know and do Thy will. Make them ever mindful of the admonition of Thy Word: "Righteousness exalteth a nation." Fill them with the love of truth and righteousness; and make them ever mindful of their calling to serve this people in Thy fear.

And our God, we woul dask thee to make us ever conscious of the responsibilities laid upon us as American citizens, and help us to put the welfare of country and the peace of the world above any spirit of partisan or sectarian motive. We ask all in the name of the Prince of Peace. *Amen.*

Leaves of Absence

Messrs. Weeks of Stewartstown, Holden of Newington, and Pillsbury of Manchester, and Miss Horner of Thornton

were granted leave of absence for the day on account of important business.

Mr. Faulkner of Keene and Miss Woodward of Waterville were granted leave of absence for the day on account of illness.

Mr. English of Hancock was granted leave of absence for Tuesday and Wednesday on account of important business.

Mrs. Brungot of Berlin was granted leave of absence for the week on account of important business.

Introduction of Bills

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Whittier of Bethlehem, House Bill No. 78, An Act relative to compilations of certificates of registration and licenses to operate motor vehicles. To the Committee on Executive Departments and Administration.

Committee Reports

Mr. Wadleigh of Milford for the Committee on Judiciary, to whom was referred House Bill No. 8, An Act relative to the legislative council, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Resolutions

On motion of Mr. Wadleigh of Milford the rules were suspended, business in order at 3:00 o'clock was made in order at the present.

On motion of Mr. Spaulding of Hudson the third reading of a bill be by title only.

Third Reading

House Bill No. 8, An Act relative to the legislative council.

Read a third time and passed and sent to the Senate for concurrence.

Qualified

Mrs. Goodwin of Hollis, having appeared before His Excellency the Governor then appeared and took her seat as a member of the House on Thursday, January 15.

On motion of Mrs. Funkhouser of Durham at 11:25 o'clock the House adjourned.

WEDNESDAY, JANUARY 21, 1953

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Rev. Ralph W. Reynolds, First Baptist Church of Derry.

Almighty God, our Father, since Thou hast by thy mercy preserved for us a heritage of freedom, and hast sustained for us the liberty to choose between good and evil, falsehood and honesty, mercy and tyranny, grant to us this morning a measure of Thy truth. Keep us, we pray Thee from individual, sectional or state selfishness, which Thou hast always rewarded with internal decay and outward destruction. Endow us, rather, with that humility of our Savior, who made himself no man's judge, and remind us in each decision that all our collected wisdom is but a small shadow of Thy plan for us and for all men. Create in us and through us a burning zeal for righteousness tempered with love by which our state and all men may, with Thy help, erect a lasting and durable society, seeking the greatest good for all about them. Then, at last, grant us the courage of convictions honestly conceived, by which we may speedily carry out Thy plan for us, to Thy glory and our salvation. This, and all our high hopes and ideals, we render unto Thee through Jesus Christ, our Lord, whom we own as King of kings and Lord of lords. *Amen.*

Leaves of Absence

Messrs. Zoffoli of Portsmouth, and Ford of Wolfeboro were granted leave of absence for the day on account of important business.

Mr. Faulkner of Keene was granted leave of absence for the day on account of illness.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Killeen of Walpole, House Bill No. 79, An Act relative to registration of saw mills. To the Committee on Resources, Recreation and Development.

By Mr. Soucy of Manchester, Ward 1, House Bill No. 80, An Act relative to age limitation for police commissioners. To the Committee on Executive Departments and Administration.

By Mr. Henderson of Berlin, House Bill No. 81, An Act relative to the salary of the Special Justice of the Municipal Court of Berlin. To the Delegation from the city of Berlin.

Committee Reports

Mr. Scamman of Stratham for the Committee on Appropriations, to whom was referred House Bill No. 9, An Act relative to compensation of legislative employees, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Codding of Keene for the Committee on Judiciary, to whom was referred House Bill No. 53, An Act relative to selection of seats by members of the House of Representatives, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled joint resolution sent up from the House of Representatives.

House Joint Resolution No. 11, joint resolution providing for expenditures of funds by prison industries.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following joint resolution, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives.

House Joint Resolution No. 10, Joint Resolution, relative to a special committee for a study procedure in state institutions for the purchase of foods.

Amend the resolution by striking out the word "four" in the first line and substituting in place thereof the word, five.

Further amend the resolution by striking out the word "two" in the fourth line and substituting the words, three, one of whom shall be a member of the minority party, so that said resolution as amended shall read as follows:

there shall be a special committee to consist of five members, one to be appointed by the Speaker of the House of Representatives, one to be appointed by the President of the Senate, and three, one of whom shall be a member of the minority party, to be appointed by the Governor, with the advice and consent of the council, to make a thorough study of the methods and procedures now being used at state institutions in the purchase of foods for said institutions. Said committee shall serve without compensation and shall make a report of its recommendations, if any, to the legislature.

On motion of Mr. Geisel of Manchester, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

Special Order

Mr. Angus of Claremont called for the Special Order, it being the Amendment to the Joint Rules of the House and Senate, Rule 15.

The question being on the adoption of the amendment to the Joint Rules.

(Discussion Ensued)

Mr. Angus of Claremont spoke in favor of the amendment.

Mrs. Millar of Claremont offered the following amendment.:

Amend Joint Rule 15 as offered in the concurrent resolution on January 13, 1953, by striking out the same and inserting in place thereof the following:

15. Unless reported by the Committee on Rules, no bills providing for amendments to existing City Charters and for establishing or changing salaries, hours of service

or pensions of city employees shall be admitted unless previously approved by the City Council of the city in question. In cases of bills providing for amendments to existing city charters only, the requirement of City Council approval shall be waived if the bill is endorsed by a petition bearing the signatures of at least one hundred legal voters of the city in question.

The question being on the amendment offered by the member from Claremont.

(Discussion Ensued)

Mrs. Millar of Claremont spoke in favor of the amendment.

Messrs. Foote of Portsmouth, and Malley of Somersworth spoke against the amendment.

Mr. Wells of Newton offered the following amendment to the amendment offered by the member of Claremont.

Amend the amendment by striking out in the second and third lines the words, amendments to existing city charters and for, and further amend by striking out the last sentence so that Rule 15 shall read as follows:

15. Unless reported by the Committee on Rules, no bills providing for establishing or changing salaries, hours of service or pensions of city employees shall be admitted unless previously approved by the City Council of the city in question.

The question being on the amendment to the amendment.

(Discussion Ensued)

Messrs. Wells of Newton, and Rainie of Concord spoke in favor of the amendment.

Mr. Geisel of Manchester spoke against the amendment.

Mr. Geisel of Manchester moved that the amendment be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion Ensued)

Messrs. Geisel of Manchester, and Comi of Concord spoke in favor of the motion.

Messrs. Ferguson of Pittsfield, Griffin of Lincoln, and Wells of Newton, and Mrs. Delude of Unity spoke against the motion.

Mr. Ferguson of Pittsfield moved the previous question.

The question being.

Shall the main question now be put?

On a *viva voce vote* the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion to indefinitely postpone did not prevail.

The question being on the amendment to the amendment.

On a *viva voce* vote the amendment to the amendment was adopted.

The question being on the amendment offered by the member from Claremont, as amended.

On a *viva voce* vote the amendment was adopted.

The question being on the amendment to the Joint Rules of the House and Senate, Rule 15, as amended.

On a *viva voce* vote the amendment to the Joint Rules was adopted.

Reconsideration

Mr. Spaulding of Hudson moved that the House reconsider its vote whereby it voted to adopt the amendment, Rule 15, as amended, to the Joint Rules of the House and Senate.

On a *viva voce* vote the motion to reconsider did not prevail.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were suspended, business in order at 3:00 o'clock was made in order at the present time, and the third readings of bills be by their titles only.

COUNTY ORGANIZATIONS

Rockingham County

Foote of Portsmouth, Chairman; Eastman of Kensington, Vice-Chairman; Merrill of Hampton, Clerk; Executive Committee: Parmenter of Londonderry, Smart of Portsmouth, McCaffrey of New Castle, Leary of Portsmouth, Scamman of

Stratham, Mrs. Richards of Exeter, Sheehy of Newfields, Haigh of Salem, Cushing of Derry, and Chairman and Clerk, ex-officio.

Strafford County

Chase of Dover, Chairman; Stearns of Durham, Vice-Chairman; Mrs. St. Pierre of Rochester, Clerk; Executive Committee: Flanagan of Dover, Fernald of Rochester, Letourneau of Somersworth, Horne of Milton, Brown of Strafford, and Chairman and Clerk, ex-officio.

Belknap County

Perkins of Alton, Chairman; Mrs. Atwood of Sanbornton, Clerk; Executive Committee: Matthews of New Hampton, Tilton of Laconia, Simoneau of Laconia, Hart of Laconia, Metcalf of Tilton, and Chairman and Clerk, ex-officio.

Carroll County

Hodgdon of Tuftonboro, Chairman; Mrs. Morey of Hart's Location, Clerk; Executive Committee: Downs of Conway, Washburn of Bartlett, Hodge of Sandwich, and Chairman and Clerk, ex-officio.

Merrimack County

Young of Pittsfield, Chairman; Mrs. Nutter of Epsom, Clerk; Executive Committee: Cilley of Concord, Davis of Hopkinton, Bunten of Concord, Moore of Bradford, Mrs. Mahoney of Concord, Douphinette of Franklin, Payeur of Pembroke, and Chairman and Clerk, ex-officio.

Hillsborough County

Farwell of Brookline, Chairman; Danforth of Manchester, Clerk; Executive Committee; Thibodeau of Manchester, Donnelly of Manchester, Colburn of Nashua, Temple of Nashua, Janelle of Nashua, Peaslee of Merrimack, Falconer of Milford, and Chairman and Clerk, ex-officio.

Cheshire County

Kershaw of Swanzey, Chairman; Lang of Troy, Clerk; Executive Committee: Sherwin of Rindge, Faulkner of Keene, Clark of Harrisville, and Chairman and Clerk, ex-officio.

Sullivan County

Converse of Claremont, Chairman; Mrs. Millar of Claremont, Vice-Chairman; Mrs. DeLude of Unity, Clerk, Executive Committee: Vaughan of Newport, Angus of Claremont, Mrs. Frizzell of Charlestown, Mrs. Millar of Claremont, Gamsby of Sunapee, Jordan of Plainfield, Stone of Claremont, and Chairman and Clerk, ex-officio.

Grafton County

McMeekin of Haverhill, Chairman; Mrs. Atkins of Hanover, Vice-Chairman; Miss Horner of Thornton, Clerk; Executive Committee: Cole of Lebanon, Loizeaux of Plymouth, Frazer of Monroe, and Chairman and Clerk, ex-officio.

Coos County

Mrs. Brungot of Berlin, Chairman; Swett of Lancaster, Vice-Chairman; Theriault of Berlin, Clerk; Executive Committee: Emerson of Dalton, Mrs. Taylor of Whitefield, Hilliard of Pittsburg, Stinson of Stratford, Bouchard of Berlin, and Chairman and Clerk, ex-officio.

Third Readings

House Bill No. 9, An Act relative to compensation of Legislative Employees.

House Bill No. 53, An Act relative to selection of seats by members of the House of Representatives.

Severally read a third time and passed and sent to the Senate for concurrence.

Qualified

Mr. Blanchard of Farmington having qualified before his Excellency the Governor, then appeared during the session, and took his seat as a member of the House.

On motion of Mrs. Atkins of Hanover at 12:25 o'clock the House adjourned.

THURSDAY, JANUARY 22, 1953

The House met at 11:00 o'clock.

Prayer was offered by the chaplain.

O God, Who art interested in all sorts and conditions of life, we remember with gladness and thankfulness all that Thou hast been to this world of men; Companion of the brave; Light to the wanderer; Joy to the depressed; Strength to the weak; Friend of the poor; and Hope to the discouraged. Give us, we beseech Thee, our God, that faith now, to believe that Thou canst still be all in all to us, whatever our special need may demand. Help us to ever remember that we need not walk the pathway of life alone; as Thou hast been a Light to the way of others Thou will show us the way to go. And we especially beseech Thee to help us to make right decisions in this legislative work. We ask it in the name of Christ. *Amen.*

Leaves of Absence

Messrs. Comi of Concord, and Freeman of Nashua were granted leave of absence for the day on account of important business.

Mr. O'Shan of Laconia was granted leave of absence for an indefinite period of time on account of illness.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Killeen of Walpole, House Bill No. 82, An Act relative to the payment of poll taxes. To the Committee on Judiciary.

By Mr. Pillsbury of Manchester, House Bill No. 83, An Act relating to mortgages or deeds of trusts. To the Committee on Judiciary.

By Mr. Corbett of Concord, House Bill No. 84, An Act relative to qualifications for registration as legislative counsel. To the Committee on Executive Departments and Administration.

By Mr. Brown of Stratford, House Bill No. 85, An Act relating to permits for kindling fires. To the Committee on Resources, Recreation and Development.

By Miss Horner of Thornton, House Bill No. 86, An Act relative to procedure to be followed when there is a vacancy in the office of tax collector. To the Committee on Municipal and County Government.

By Mrs. Griffin of Auburn, House Bill No. 87, An Act relative to taxation of property held by a town or district in another town or district for water supply or flood control purposes. To the Committee on Municipal and County Government.

By Mr. McDaniel of Nottingham, House Bill No. 88, An act changing the title of the trustee who keeps the books for trustees of trust funds. To the Committee on Executive Departments and Administration.

By Mr. Hayes of Concord, Ward 4, House Bill No. 89, An Act relating to the taxation of personal estate. To the Committee on Ways and Means.

Committee Reports

Miss Loizeaux of Plymouth for the Committee on Appropriations, to whom was referred House Bill No. 6, An Act relative to the office of the Legislative Budget Assistant, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 33 of Chapter 9 of the Revised Laws, as inserted by section 1 of the bill, by striking out said section and inserting in place the following: 33. Appointment and Compensation. Prior to the prorogation of any regular session of the legislature, the appropirations committee of the house of representatives and the finance committee of the state senate, acting as a special committee, shall appoint a legislative budget assistant whose name shall be filed with the secretary of state. Said officer shall receive such salary as may be determined by the legislature and shall be reimbursed for actual expenses when engaged in the duties of his office.

Amend section 34 of said Chapter 9, as inserted by section 1 of the bill by inserting after the word "condition" in the second line the words, and operations; by striking out the figure "15" in the sixth line and inserting in place thereof the figure, 25; and by striking out in the ninth line the word "conditions" and inserting in place thereof the words, condi-

tion and operations. Further amend by striking out in the thirteenth, fourteenth and fifteenth lines the words "The assistant legislative budget assistant shall perform such duties as may be determined by the legislative budget assistant.

Amend section 37 by striking out said section and inserting in place thereof the following: 37. Assistants. The legislative budget assistant with the approval of the special committee, may appoint a deputy legislative budget assistant and such other assistants as he may require within the limits of the appropriation made for his department on recommendation of the special committee. The deputy legislative budget assistant shall perform such duties as may be determined by the legislative budget assistant and may be dismissed by the legislative budget assistant with the approval of the special committee for good cause shown.

Further amend section 1 by adding the following at the end thereof: 38. Vacancies. When the position of the legislative budget assistant becomes vacant the chairman of the house appropriations committee shall call a joint meeting of the house appropriations committee and the senate finance committee not less than one month after the vacancy occurs for the purpose of filling said vacancy. When the position of the deputy legislative budget assistant becomes vacant the legislative budget assistant with the approval of the special committee may appoint a deputy legislative budget assistant to fill the vacancy.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Merrill of Hampton for the Committee on Appropriations, to whom was referred House Joint Resolution No. 3, A Joint resolution in favor of Appleyard Motor Transportation Company, Inc., having considered the same, reported the same with the recommendation that the Joint Resolution ought to pass.

The report was accepted and the Joint Resolution ordered to a third reading.

Mr. Barry of Wilton for the Committee on Appropriations, to whom was referred House Joint Resolution No. 1, A Joint resolution in favor of Frank Sheridan, having considered the same, reported the same with the recommendation that the Joint Resolution ought to pass.

The report was accepted and the Joint Resolution ordered to a third reading.

Mrs. Morey of Hart's Location for the Committee on Public Works, to whom was referred House Bill No. 27, An Act relative to change in classification of highway in Rindge, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Resolutions

Mr. Peever of Salem offered the following resolution:

Whereas, Divine Providence has seen fit to remove from our midst our former fellow represcentative, Harold H. Hart of Wolfeboro, and

Whereas, Mr. Hart served this legislature for ten sessions with one session in the Senate, and as a member of the Constitutional Convention three or more times, and was chairman of the Carroll County Delegation for many years, and,

Whereas, he was a member and one time Chairman of the Ways and Means Committee of the House and later served on the Appropriations Committee and,

Whereas, he was Executive Secretary of the Lakes Region of New Hampshire and,

Whereas, in all these duties to the State of New Hampshire he gave unstintingly of his services, now therefore be it

Resolved, that this Legislature regrets his untimely passing and be it further

Resolved, that a copy of these resolutions be spread upon the records of this House of Representatives and a copy be sent to his son.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules of the House were suspended, business in order at 3:00 o'clock in the afternoon was made in order at the present time, and that the third readings of bills be by title, and joint resolutions by caption only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

Third Readings

House Bill No. 6, An Act relative to the office of the Legislative Budget Assistant.

House Joint Resolution No. 1, Joint resolution in favor of Frank Sheridan.

House Joint Resolution No. 3, Joint resolution in favor of Appleyard Motor Transportation Company, Inc.

House Bill No. 27, An Act relative to change in classification of highway in Rindge.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Hayes of Northumberland at 11:35 o'clock the House adjourned.

TUESDAY, JANUARY 27, 1953

The House met according to adjournment.

Prayer was offered by the chaplain.

Almighty God, Who holdest in Thy hands the riches of the world, we pray that Thou wilt reveal unto us those unseen and intangible riches that will give that wealth of character that cannot be found in the things we possess. Give us high ideals to motivate our actions, especially in this day when we are called upon to decide what is best for the future welfare of our state; Help us to ever remember that material wealth is not the greatest asset of the state or the individual, but endow us with that wealth of character that carries with it love for the highest and the best for ourselves and the commonwealth, strength of manhood and womanhood to see our ideals defeated and still carry on, enough of the spirit of toleration to amicably work with those who do not always agree with us, and a faith so strong in Thee that we may not be swerved from the way Thou wouldst have us go. Thou God of riches, give us this kind of wealth. We ask it in the name of Christ. *Amen.*

Leaves of Absence

Messrs. French of Weare, and Walker of Hinsdale were granted leave of absence for the week on account of important business.

Mr. Baron of Claremont was granted leave of absence for the week on account of illness.

Mr. Hoyt of Laconia was granted leave of absence for an indefinite period on account of illness.

Mr. Hazelton of Chester was granted leave of absence for two weeks on account of important business.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Benson of Conway, House Bill No. 90, An Act relating to real estate brokers and salesmen. To the Committee on Judiciary.

By Mr. Smith of Manchester, Ward 5, House Bill No. 91, An Act relating to the number of supervisory unions. To the Committee on Education.

By Miss Spollett, of Hampstead, House Bill No. 92, An Act relating to the payment of taxes by non-resident contractors. To the Committee on Municipal and County Government.

By Mrs. Funkhouser of Durham, House Bill No. 93, An Act relating to the classification of Ammonoosuc River and its tributaries. To the Committee on Resources, Recreation and Development.

By Mrs. Funkhouser of Durham, House Bill No. 94, An Act providing for the classification of Ashuelot river and its tributaries. To the Committee on Resources, Recreation and Development.

By Mrs. Funkhouser of Durham, House Bill No. 95, An Act providing for the classification of certain surface waters in Grafton County. To the Committee on Resources, Recreation and Development.

By Mr. Benson of Conway, House Bill No. 96, An Act prohibiting suits for alienation of affections. To the Committee on Judiciary.

By Mrs. Funkhouser of Durham, House Bill No. 97, An Act providing for the classification of Cold River and its tributaries. To the Committee on Resources, Recreation and Development.

By Mrs. Funkhouser of Durham, House Bill No. 98, An Act providing for the classification of certain waters of Piscataquog river and its tributaries. To the Committee on Resources, Recreation and Development.

By Mr. Matthews of New Hampton, House Bill No. 99, An Act relating to powers and duties of trustees of the Industrial School. To the Committee on Executive Departments and Administration.

By Mr. Gale of Jackson, House Bill No. 100, An Act relative to trustees of Brewster Free Academy. To the Committee on Judiciary.

By Mr. Janelle of Nashua, House Bill No. 101, An Act relative to the salaries of the Hillsborough County Commissioners. To Hillsborough County Delegation.

By Mr. McMeekin of Haverhill, House Bill No. 102, An Act relative to change in classification of highway in Haverhill and Piermont. To the Committee on Public Works.

By Mr. Peever of Salem, House Bill No. 103, An Act relating to the sale of artificial flowers and flags. To the Committee on Municipal and County Government.

By Mr. Pelletier of Nashua, House Bill No. 104, An Act relating to powers of corporations. To the Committee on Judiciary.

By Mr. Comi of Concord, Ward 9, House Bill No. 105, An Act relating to sale of wine in restaurants. To the Committee on Liquor Laws.

By Mr. Peever of Salem, House Bill No. 106, An Act relating to hawkers and peddlers. To the Committee on Executive Departments, and Administration.

By Mr. Geisel of Manchester, House Bill No. 107, An Act relating to investments of savings banks. To the Committee on Banks.

By Mr. Colburn of Nashua, House Bill No. 108, An Act to substitute for the tax on stock in trade a tax on net profits of manufacturers and merchants. To the Committee on Ways and Means.

By Mr. Plumer of Bristol, House Bill No. 109, An Act to provide for the allowance of a discount upon the prompt payment of legacy and succession taxes. To the Committee on Executive Departments and Administration.

By Mr. Kimball of Moultonborough, House Bill No. 110,

An Act establishing an interim commission for the study of development of Lake Winnipesaukee. To the Committee on Resources, Recreation and Development.

By Mr. Holden of Newington, House Bill No. 111, An Act providing for safety to life in places of assembly. To the Committee on Public Health.

By Mr. Killeen of Walpole, House Bill No. 112, An Act relative to powers and duties of town manager. To the Committee on Municipal and County Government.

By Mr. Metcalf of Tilton, House Bill No. 113, An Act relating to raccoon. To the Committee on Fish & Game.

By Mr. Poore of Goffstown, House Bill No. 114, An Act relative to motor busses owned and used for religious societies. To the Committee on Transportation.

By Mr. Jordan of Plainfield, House Bill No. 115, An Act legalizing the biennial election in the town of Plainfield. To the Committee on Municipal and County Government.

By Mr. Sheridan of Berlin, House Bill No. 116, An Act relating to the change of name of the Berlin Building and Loan Association. To the Committee on Judiciary.

By Mrs. Brungot of Berlin, House Bill No. 117, An Act relating to insurance on the lives of recipients of assistance. To the Committee on Public Welfare and State Institutions.

By Mr. Stearns of Durham, House Bill No. 118, An Act relative to pari mutuel pools at race meets. To the Committee on Ways and Means.

By Mr. Hart of Laconia, House Bill No. 119, An Act relating to the operation of motor boats and outboard motors. To the Committee on Judiciary.

By Mrs. Funkhouser of Durham, House Bill No. 120, An Act providing for the classification of certain surface waters. To the Committee on Resources, Recreation and Development.

By Mrs. Funkhouser of Durham, House Bill No. 121, An Act providing for the classification of certain surface waters. To the Committee on Resources, Recreation and Development.

By Mr. Whittier of Bethlehem, House Bill No. 122, An Act relative to special motor vehicle plates. To the Committee on Executive Departments and Administration.

By Mrs. Williams of Grafton, House Bill No. 123, An Act relative to change in classification of a highway in Orange. To the Committee on Public Works.

By Mrs. Mahoney of Concord, House Bill No. 124, An Act relative to naming Frederic E. Everett Highway. To the Committee on Public Works.

By Mrs. Brungot of Berlin, House Bill No. 125, An Act to incorporate the Berlin Mills Railway, Inc. To the Committee on Judiciary.

By Mr. Parmenter of Londonderry, House Bill No. 126, An Act to authorize the Londonderry School District to exceed its limits of bonded indebtedness. To the Committee on Executive Department and Administration.

By Mr. Vogel of Canterbury, House Bill No. 127, An Act relative to selectmen. To the Committee on Municipal and County Government.

By Mrs. Cooper of Nashua, House Bill No. 128, An Act to increase the salaries of the justices of the Nashua municipal court. To the Special Committee consisting of the Delegation from the city of Nashua.

By Mr. Brown of Laconia, House Bill No. 129, An Act relating to the general exemption from property taxes of certain privately owned airports. To the Committee on Aviation.

By Mr. Brown of Laconia, House Bill No. 130, An Act relative to making appropriations for and on behalf of the New Hampshire wing, civil air patrol. To the Committee on Appropriation.

By Mr. Vogel of Canterbury, House Bill No. 131, An Act relating to schol boards. To the Committee on Municipal and County Government.

By Mr. Geisel of Manchester, House Bill No. 132, An Act relative to printing banking laws by the bank commissioner. To the Committee on Banks.

By Mr. Angus of Claremont, House Bill No. 133, An Act authorizing the licensing of greyhound races on which pari mutuel system of wagering shall be permitted. To the Committee on Ways and Means.

By Mr. Washburn of Bartlett, House Bill No. 134, An Act relating to use of firearms in lumber camps. To the Committee on Fish and Game.

By Mr. Eggleston of Canaan, House Bill No. 135, An Act relating to the building of camp fires. To the Committee on Resources, Recreation and Development.

By Mr. McDaniel of Nottingham, House Bill No. 136, An Act relative to forest conservation and taxation. To the Committee on Resources, Recreation and Development.

By Mr. Locke of Hampton, House Bill No. 137, An Act relative to the taking of clams. To the Committee on Fish and Game.

By Mr. Scamman of Stratham, House Bill No. 138, An Act relative to powers of Exeter Water Works. To a special committee consisting of the members from the towns of Exeter and Stratham.

By Mr. Brown of Loudon, House Bill No. 139, An Act regarding the closing of certain lakes and ponds for fishing. To the Committee on Fish and Game.

By Mrs. Martin of Littleton, House Joint Resolution No. 12, Relative to abatement of certain franchise taxes against certain telephone companies. To the Committee on Ways and Means.

By Mr. Smith of Manchester, Joint Resolution No. 13, Providing for a committee to investigate the educational system of the state. To the Committee on Education.

By Mr. Pillsbury of Manchester, House Joint Resolution No. 14, Providing for an appropriation to reimburse the Governor's emergency fund. To the Committee on Appropriation.

Printing Dispensed With

On motion of Mr. Pillsbury of Manchester, printing of House Joint Resolution No. 14, was dispensed with.

By Mr. Willey of Campton, House Joint Resolution No. 15, Joint Resolution continuing the lobster fund. To the Committee on Appropriations.

By Mrs. Taylor of Whitefield, House Joint Resolution No. 16, Joint Resolution in favor of the county of Coos. To the committee on Appropriations.

By Mr. Waling of Keene, House Joint Resolution No. 17, Joint Resolution relative to claim of Footwear Center. To the Committee on Appropriations.

By Mr. Hadley of Hillsboro, House Joint Resolution No. 18, Joint Resolution providing funds for 100th anniversary of the inaugural of Franklin Pierce. To the Committee on Appropriations.

By Mr. Fernald of Rochester, House Joint Resolution No. 19, Joint Resolution in favor of Wilda C. Masse. To the Committee on Appropriations.

Printing Dispensed With

On motion of Mr. McMeekin of Haverhill, printing of House Joint Resolution No. 19, was dispensed with.

On motion of Mr. McMeekin of Haverhill, printing of House Joint Resolution No. 17 was dispensed with.

By Mr. Rainie of Concord and Mrs. Brungot of Berlin, House Joint Resolution No. 20, Joint Resolution relating to George A. Colbath. To the Committee on Appropriations.

Order Vacated

On motion of Mr. Spaulding, the order whereby House Bill No. 124, An Act relative to naming Frederic E. Everett Highway, was referred to the Committee on Public Works, was vacated and the bill referred to a joint committee consisting of the Committee on Public Works and the delegation from the city of Concord.

Committee Reports

Mr. Rainie of Concord for the Committee on Executive Departments and Administration to whom was referred House Bill No. 78, An Act relative to compilations of certificates of registration and licenses to operate motor vehicles.

Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Cooper of Nashua for the Committee on Judiciary to whom was referred House Bill No. 24, An Act relative to escapes from places of lawful confinement.

Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Williams of Grafton for the Committee on Municipal and County Government to whom was referred House Joint Resolution No. 4, A joint resolution relative to marking county boundaries on Class I and Class II highways.

Having considered the same, reported the same with the following Resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lang of Troy for the Committee on Resources, Recreation and Development to whom was referred House Joint Resolution No. 5, A joint resolution providing for an appropriation for the construction and location of picnic tables on public recreational areas.

Having considered the same, reported the same with the following Resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by existing legislation.

Mr. Lang of Troy for the Committee on Resources, Recreation and Development to whom was referred House Joint Resolution No. 8, a joint resolution providing for an appropriation for picnic tables in connection with the state highway roadside program.

Having considered the same reported the same with the following Resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by existing legislation.

The report was accepted and the resolution of the committee adopted.

Order Vacated

Mr. Metcalf of Tilton moved that the order whereby House Bill No. 19, An Act relative to Veterans service exemption, was referred to the committee on Municipal and County Government be vacated and that the bill be referred to the Committee on Military and Veterans Affairs.

The question being on the motion.

(Discussion Ensued.)

Messrs. Metcalf of Tilton, Eldredge of Exeter, and Chase of Dover spoke in favor of the motion.

Mr. Black of Bennington spoke against the motion.

On a *viva voce* vote the motion prevailed.

Mr. Black of Bennington called for a division.

A division being had, 203 members having voted in the affirmative, and 130 members having voted in the negative, the motion to vacate prevailed.

Resolutions

Mr. Pelletier of Nashua offered the following resolution:

Whereas, We have learned of the passing of Alvin A. Lucier, former Assistant Clerk of the House of Representatives, former member of the Governor's Council, and former Mayor of the City of Nashua, a well known member of the New Hampshire Bar who has so ably served his city and state in many positions of responsibility and trust, and

Whereas, His service to the state and city has been distinguished not only by his accomplishments but by his courtesy, kindness and fairness in all of his dealings, thus earning for him the deep respect and confidence of the public and his associates, therefore be it

Resolved, That we pay tribute to our former associate for his devoted and faithful public service, and be it further

Resolved, That we extend our heartfelt sympathy to his family in its bereavement and that the Clerk of the House transmit a copy of these resolutions to Mrs. Lucier.

On a *viva voce* vote the resolution was adopted.

Mrs. Cooper of Nashua offered the following resolution:

Whereas, We have learned of the passing of Ivory C. Eaton, former Representative from the City of Nashua and a prominent member of the New Hampshire Bar, therefore be it

Resolved, That we pay tribute to our former fellow member and his accomplishments which were distinguished by his fair dealings and integrity and which earned for him the respect and confidence of the public and his associates, therefore be it

Resolved, That we pay tribute to our former Member for his devoted and faithful public service, and be it further

Resolved, That we extend our heartfelt sympathy to his family in its bereavement and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to the family.

On a *vica voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules of the House were suspended to allow business in order at 3:00 o'clock this afternoon to be in order at the present time, and that the third readings of bills be by title only.

Third Readings

House Bill No. 24, An Act relative to escapes from places of lawful confinement.

House Bill No. 78, An Act relative to compilations of certificates of registration and licenses to operate motor vehicles.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Corliss of Manchester at 12:15 o'clock the House adjourned.

WEDNESDAY, JANUARY 28, 1953

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Almighty God, Thou builder of the universe and Creator of man, help us to ever realize that tomorrow we shall be judged by a generation of men and women, building, or attempting to build, on the heritage we have left them, as today we are trying to make a better life and a better world on what our forefathers have passed on to us. Thou God to whom the future is as clear as the past; help us to realize the truthfulness of the Apostle when he said: "I have laid the foundation and another buildeth thereon." Help us, our Father, to ever remember, important as our present tasks may seem, and as final as the achievements of today may appear, future generations will build upon what we pass on. May we so faithfully perform the duties of today, that those who come after us may continue to sing: "Faith of our father, living still." *Amen*

Leaves of Absence

Messrs. Pappagianis and Temple of Nashua, and Ford of Wolfeboro were granted leave of absence for the day on account of important business.

Introduction of Bills

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mrs. Goodwin of Hollis, House Bill No. 140, An Act entitled uniform act on blood tests to determine paternity. To the Committee on Judiciary.

By Mr. Chamberlin of Bath, House Bill No. 141, An Act relating to incompatibility of town offices. To the Committee on Municipal and County Government.

By Mrs. Otis of Concord, Ward 4, House Bill No. 142, An Act relating to compensation for members of organizations for civil defense. To the Committee on Judiciary.

By Mrs. Millar of Claremont, House Bill No. 143, An Act extending the appropriation for the so-called Children's Study Home. To the Committee on Public Welfare and State Institutions.

By Mrs. Otis of Concord, House Bill No. 144, An Act to provide for liens in favor of hospitals and other institutions. To the Committee on Judiciary.

By Mr. Payeur of Pembroke, House Bill No. 145, An Act relating to taking hares and rabbits. To the Committee on Fish and Game.

By Mr. Kearns of Manchester and Mrs. Noyes of Salem, House Bill No. 146, An Act providing for the sale of wines by grocery stores. To the Committee on Liquor Laws.

By Mrs. Delude of Unity, House Bill No. 147, An Act relative to the posting of land. To the Committee on Fish and Game.

By Mrs. Millar of Claremont, House Bill No. 148, An Act relating to the appointment of child placing agencies as guardians. To the Committee on Judiciary.

By Mrs. Millar of Claremont, House Bill No. 149, An Act relating to petitions for adoption of minors. To the Committee on Judiciary.

By Mrs. Millar of Claremont, House Bill No. 150, An Act relating to adoption of illegitimate children. To the Committee on Judiciary.

By Mr. McReel of Exeter, House Bill No. 151, An Act relating to the sale of securities and defining a dealer therein.

To the Committee on Executive Departments and Administration.

By Mr. Walker of Concord, House Bill No. 152, An Act relating to the fire insurance contract. To the Committee on Insurance.

By Mr. Wells of Newton, House Bill No. 153, An Act to provide for an additional justice of the Superior Court. To the Committee on Judiciary.

By Mr. Benson of Conway, House Bill No. 154, An Act relating to white pine blister rust. To the Committee on Resources, Recreation and Development.

By Mr. Wells of Newton, House Bill No. 155, An Act to increase the salaries of the justices of the Supreme and Superior Courts. To the Committee on Appropriations.

By Mr. Flanagan of Dover, House Bill No. 156, An Act relative to salary of the special justices of the municipal court of Dover. To the Delegation from the City of Dover.

By Mr. Walker of Concord, House Bill No. 157, An Act relative to taxes on Marine Underwriting profits. To the Committee on Insurance.

By Mr. Rathbone of Exeter, House Bill No. 158, An Act relating to the registration of pleasure-car type motor vehicles. To the Committee on Transportation.

By Mrs. Atkins of Hanover, House Bill No. 159, An Act relating to the crossing of public lands and waters by utilities and others. To the Committee on Judiciary.

By Mr. Clow of Wolfeboro, House Bill No. 160, An Act to provide for the filling of vacancies in the office of United States Senator by special election. To the Committee on Judiciary.

By Mr. Geisel of Manchester, House Bill No. 161, An Act relating to Crotched Mountain Rehabilitation Center. To the Committee on Appropriations.

By Mr. McMeekin of Haverhill, House Bill No. 162, An Act relating to probate and superior courts in the County of Grafton. To the Delegation from Grafton County.

By Mrs. Atwood of Sanbornton, House Bill No. 163, An Act relating to the determination of adjusted valuation for school and purposes. To the Committee on Education.

By Mr. Dixon of Lyme, House Bill No. 164, An Act re-

lating to corporate donations to charity. To the Committee on Executive Departments and Administration.

By Mr. Brown of Laconia, House Bill No. 165, An Act relative to aeronautical funds. To the Committee on Aviation.

By Mr. Chase of Dover, House Bill No. 166, An Act to legalize dog racing in New Hampshire and to establish a state dog racing commission. To the Committee on Ways and Means.

By Mr. Henderson of Berlin, House Bill No. 167, An Act relative to salaries of the mayor and councilmen of the City of Berlin. To the Delegation from the City of Berlin.

By Mr. Geisel of Manchester, House Joint Resolution No. 21, Joint Resolution relative to preserving the characteristic covered bridges. To the Committee on Public Works.

By Mr. Angus of Claremont, House Joint Resolution No. 22, Joint Resolution in favor of Norman Sicard. To the Committee on Appropriations.

Printing Dispensed With

On motion of Mr. McMeekin of Haverhill the rules were suspended and printing of House Joint Resolution No. 22, dispensed with.

Engrossed Bills

Mrs. Landers of Keene for the Committee on Engrossed Bills reported that the Committee had examined and found correctly engrossed the following Joint Resolutions:

House Joint Resolution No. 10, Joint Resolution relative to special committee for a study of procedures in state institutions for the purchase of foods.

House Joint Resolution No. 11, Joint Resolution providing for expenditures of funds by prison industries.

The report was accepted.

Committee Reports

Mr. Ladd of Epping for the Committee on Agriculture to whom was referred House Bill No. 20, An Act relative to labeling agricultural seeds. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Agricultural Seeds.* Amend paragraph V of section 3 of chapter 224 of the Revised Laws as inserted by section 1, chapter 54, Laws of 1943, by striking out said paragraph and inserting in place thereof the following: V. If present, the names of the kinds of secondary noxious-weed seeds and the rate of occurrence of each: (A) Per ounce in Agrostia spp., Pon spp., Rhodes grass, Bermuda Grass, timothy, orchard grass, fescues, alsike and white clover, reed canary grass, Dallis grass, ryegrass, foxtail millet, crimson clover, Brassica spp., flax, Agropyron spp., and other agricultural seeds of similar size and weight, or mixtures within this group, and (B) Per pound in proso, Sudan grass, wheat, oats, rye, barley, buckwheat, sorghums, vetches, and other agricultural seeds of a size and weight similar to or greater than those within this group, or any mixtures within this group. All determinations of noxious-weed seeds shall be subject to tolerances and methods of determination prescribed in the rules and regulations under this chapter.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Ladd of Epping for the Committee on Agriculture to whom was referred House Bill No. 30, An Act increasing fees for licenses relative to the purchase and sale of poultry. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Ladd of Epping for the Committee on Agriculture to whom was referred House Bill No. 54, An Act to regulate the sale and distribution of commercial feeds in the state of New Hampshire. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 15 of chapter 226 as inserted by section 1 of said bill by striking out the words "not be resold" in the ninth line and inserting in place thereof the words, be sold or resold only for consumption by the livestock or poultry of the parties ordering such custom or special mixes, so that said section as amended shall read as follows:

15. *Exceptions.* Custom mix shall be defined as the commercial feeding stuff product which a person manufactures, processes, or mixes for another, where the person requesting such a mixture supplies all or some of the ingredients. Special mix shall be defined as the commercial feeding stuff product which a person manufactures, processes, or mixes for another in accordance with specifications supplied by said purchaser. Custom mixes and special mixes, as herein defined, shall be sold or resold only for consumption by the livestock or poultry of the parties ordering such custom or special mixes and said mixes shall be exempt from the general requirements of this chapter relative to labelling and registration, provided that each container or package of said custom mix or special mix, whether in bulk or packaged, shall have attached thereto, in lieu of the tag or label required by section 7, a written or printed tag upon which shall be state the following information: (1) that the product in the container or package is a custom mix or a special mix, as the case may be, (2) the name of the mixer, processor or manufacturer, (3) the net weight of the contents, (4) name of purchaser, and (5) the purpose for which the feed is to be fed, that is dairy feed, poultry feed, pig feed, pheasant feed, etc.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 23, An Act relative to prohibiting the discharging of firearms on public highways. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 56, An Act relating to licenses under fish and game laws. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the words "apply for" in the sixth and eighth lines and inserting in place thereof the word, procure, so that said section as amended shall read as

follows: 1. *Fishing and Hunting Licenses.* Amend chapter 247 of the Revised Laws by inserting after section 12-a as inserted by chapter 68 of the laws of 1949, the following new section: 12-b. *Prohibition.* No person shall hold at the same time a resident hunting and fishing license and a resident hunting license, nor shall any person at the same time hold more than one of either of said licenses. Any person who shall procure a resident hunting and fishing license while holding a resident hunting license or a resident hunting and fishing license, or who shall procure a resident hunting license while holding a resident hunting license or a resident hunting and fishing license, shall be guilty of a violation of this chapter.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Matthews of New Hampton for the Committee on Judiciary to whom was referred House Bill No. 62, An Act relative to Durham Historic Association. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Eldredge of Exeter for the Committee on Municipal and County Government to whom was referred House Bill No. 64, An Act increasing certain fees for town clerks. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Payette of Portsmouth for the Committee on Municipal and County Government to whom was referred House Bill No. 46, An Act relating to the moderators of school districts. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Belletete of Jaffrey for the Committee on Transportation to whom was referred House Bill No. 26, An Act relative to operation of motor vehicles when approaching school busses.

Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Belletete of Jaffrey for the Committee on Transportation to whom was referred House Bill No. 45, An Act naming a certain highway in Tamworth the Chinook Trail. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that,

The Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 4, An Act relative to destruction of records of public weighers.

Senate Bill Read and Referred

Senate Bill No. 4, An Act relative to destruction of records of public weighers.

Read a first and second time and referred to the Committee on Agriculture.

Concurrent Resolution

Mrs. St. Pierre of Rochester offered the following concurrent resolution:

Resolved, That a committee be appointed to consider the advisability and feasibility of adopting the Federal Social Security Plan for employees of the state and its political subdivisions. Said committee shall consist of five members, two from the Senate to be appointed by the President of the Senate and three from the House to be appointed by the Speaker, and shall report its findings to the present session of the Legislature not later than May first.

On a *viva voce* vote the concurrent resolution was adopted.

Resolutions

On motion of Mr. Wadleigh of Milford the rules were

suspended, to allow business in order at 3:00 o'clock this afternoon to be in order at the present time, and that the third readings of bills be by their titles only.

Third Readings

House Bill No. 20, An Act relative to labeling agricultural seeds.

House Bill No. 26, An Act relative to operation of motor vehicles when approaching school busses.

House Bill No. 30, An Act increasing fees for licenses relative to the purchase and sale of poultry.

House Bill No. 45, An Act naming a certain highway in Tamworth The Chinook Trail.

House Bill No. 54, An Act to regulate the sale and distribution of commercial feeds in the state of New Hampshire.

House Bill No. 56, An Act relating to licenses under fish and game laws.

House Bill No. 62, An Act relative to Durham Historic Association.

House Bill No. 64, An Act increasing certain fees for town clerks.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Miss Loizeaux of Plymouth at 11:55 o'clock the House adjourned.

THURSDAY, JANUARY 29, 1953

The House met at 11:00 o'clock.

Prayer was offered by the chaplain.

Blessed Lord, we come to the opening of another day and face to face with the duties and responsibilities of that day. Since we know not what a day may bring forth, help us to dedicate our souls and bodies to Thee and Thy service, in which resolution, do Thou, O merciful God, confirm and strengthen us. Work mightily in us, O God, and guide and sustain all our labors; help us to realize the truthfulness of the saying of the prophet: "Not by might, nor by power, but by

My Spirit, saith the Lord of hosts." Help us to realize that what we do will always be determined by what we are.

"Grant us the will to fashion as we feel;
Grant us the strength to labor as we know;
Grant us the purpose, ribbed and edged
with steel,
To strike the blow."

In the name of Jesus Christ. *Amen.*

Leaves of Absence

Messrs. Walker of Concord, Peaslee of Wakefield, and Pinkham of Northwood were granted leave of absence for the day on account of important business.

Mrs. Stafford of Laconia was granted leave of absence for three weeks on account of important business.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Holden of Hanover, House Bill No. 168, An Act relative to check-lists for elections and party registration for the primary election. To the Committee on Executive Departments and Administration.

By Mrs. Frizzell of Charlestown, House Bill No. 169, An Act relative to granting school districts and cities temporary emergency exemption from the provisions of the municipal bond statute. To the Committee on Education.

Mrs. Frizzell of Charlestown moved that the rules of the House be so far suspended as to dispense with the printing and reference to Committee of House Bill No. 169 and that the bill be put upon its third reading and final passage by title only at the present time.

The question being on the motion to suspend rules.

(Discussion Ensued.)

Mrs. Frizzell of Charlestown, and Mr. Vaughan of Newport spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The bill was read a third time and passed and sent to the Senate for concurrence.

By Mr. Gauthier of Manchester, House Bill No. 170, An Act relating to the sale and manufacture of cider. To the Committee on Liquor Laws.

By Mr. Gauthier of Manchester, House Bill No. 171, An Act relating to prohibited sales of alcoholic beverages. To the Committee on Liquor Laws.

By Mr. Angus of Claremont, House Bill No. 172, An Act relating to the practice of veterinary medicine. To the Committee on Public Health.

By Mrs. Otis of Concord, House Bill No. 173, An Act relating to the practice of medicine. To the Committee on Public Health.

By Mrs. Otis of Concord, House Bill No. 174, An Act relating to household chemicals. To the Committee on Public Health.

By Mr. Holden of Hanover, House Bill No. 175, An Act relative to the audit and post audit of state accounts. To the Committee on Executive Department and Administration.

By Mr. McCarthy of Manchester, House Bill No. 176, An Act relative to the computation of mileage allowance for members of the legislature. To the Committee on Executive Department & Administration.

By Mr. Geisel of Manchester, House Joint Resolution No. 23, Joint Resolution relative to ascertaining the desires of the people on the question of taxation. To the Committee on Judiciary.

Committee Reports

Miss Horner of Thornton for the Committee on Executive Departments and Administration to whom was referred House Bill No. 70, An Act relating to destruction of documents, checks, and papers in the state treasurer's files. Having considered the same reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Codding of Keene for the Committee on Judiciary to whom was referred House Bill No. 41, An Act prohibiting certain officials who are candidates for office from counting ballots at elections. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Alton for the Committee on Public Works to whom was referred House Bill No. 21, An Act relative to procedure in collecting from bonds on public works. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Morey of Hart's Location for the Committee on Public Works to whom was referred House Bill No. 25, An Act relative to the time for beginning construction on town highways with apportionment A funds. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Perry of Newport for the Committee on Public Works to whom was referred House Bill No. 42, An Act relative to the construction and betterment of Class I, II, IV, and V highways. Having considered the same reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill was referred to the Committee on Appropriations under the rules.

Mr. Lang of Troy for the Committee on Resources, Recreation and Development to whom was referred House Joint Resolution No. 7, a joint resolution providing for memorials for John Stark. Having considered the same reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted.

The question being on the recommendation of the Committee.

(Discussion Ensued)

Mr. Dort of Chesterfield spoke in favor of the question.

The joint resolution was referred to the Committee on Appropriations under the rules.

Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 2, An Act relative to state liquor store agents.

Senate Bill Read and Referred

Senate Bill No. 2, An Act relative to state liquor store agents.

Read a first and second time, and referred to the Committee on Liquor Laws.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following concurrent resolutions, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

Resolved, by the House of Representatives, the Senate concurring, that the Joint Rules of the 1951 Senate and House of Representatives be adopted as the Joint Rules of the 1953 Senate and House of Representatives with the following amendments:

Amend Rule 12 of the Joint Rules of the Senate and House of Representatives by striking out the word "Tuesday" in the third and last lines and inserting in place thereof the word, Thursday; further amend by inserting in the third line after the word "session" the words, nor shall such matters be received in either branch of the legislature from State officers, departments or agencies unless they have been previously filed with the Secretary of State during the month of December, so that said rule as amended shall read as follows:

12. No bill, joint resolution, claim outstanding on the first day of the session, or petition relating to new business shall be received in either branch of the legislature after the third Thursday of the session, nor shall such matters be received in either branch of the legislature from state officers, departments or agencies unless they have been previously filed with the Secretary of State during the month of December, unless reported by the Committee on Rules; provided that this rule may be suspended in either House whenever two-thirds of the whole number of elected members shall, on divi-

sion taken, vote in favor thereof, and not otherwise. A bill, joint resolution, claim or petition shall be considered as having been received within the meaning of this rule if it shall have been delivered to the Clerk of the House in which it is introduced on or before five o'clock in the afternoon of said third Thursday of the session.

Amend Joint Rule 13 as passed by the House by striking out the entire section and substituting in place thereof the following:

13. Committees shall make final report on or before the fourth Thursday of March on all matters referred to them on or before March 1st. On matters referred to them subsequent to March 1st, report shall be made within 12 legislative days of such reference. (The Committee on Rules in each branch may grant an extension of time on specific matters to specified committees). All matters upon which no report has been made when the time within which a committee was required to report has expired, shall be reported by the chairman of the committee within three legislative days, with the recommendation inexpedient to legislate, unless within the said three legislative days an extension of time (under this rule) is granted by the Committee on Rules, or unless within the three legislative days the committee votes to report the bill with recommendations other than inexpedient to legislate. Nothing contained in this rule shall be applicable to the Appropriations or Ways and Means Committees of the House or the Finance or Ways and Means Committees of the Senate.

Amend Joint Rule 14 by inserting after the first sentence thereof the following new sentence:

> The requirement of such written approval by the applicable governing board shall be waived if the bill is endorsed by a petition signed by at least ten per cent of the legal voters in towns, school districts or precincts having a population of less than two thousand and by at least five per cent of the legal voters in towns, school districts or precincts having a greater population.

So that said Joint Rule as amended shall read as follows:

> 14. Unless reported by the Committee on Rules, no bills legalizing town school district and precinct meetings and actions taken at such meetings shall be admitted

unless bearing the written approval of the majority of the selectmen of the town, of the school board of the district, or of the precinct commission, as the case may be. The requirement of such written approval by the applicable governing board shall be waived if the bill is endorsed by a petition signed by at least ten per cent of the legal voters in towns, school districts or precinct having a population of less than two thousand and by at least five per cent of the legal voters in towns, school districts or precincts having a greater population. Such bills shall be submitted to the Attorney General's Office for examination as to the propriety and legality, and, except in cases of emergency shall be consolidated into a single bill to be submitted to the Legislature near the end of the session.

Reading of the Senate message having commenced, on motion of Mr. Soucy of Manchester, Ward I, further reading was dispensed with.

Mrs. Morey of Hart's Location moved that the Senate message, regarding the Joint Rules, be made a Special Order for Tuesday, February 3 at 11:01 o'clock.

The question being on the motion.

(Discussion Ensued)

Mrs. Morey of Hart's Location, Messrs. Ferguson of Pittsfield and Kearns of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion for a special order prevailed.

Committee Changes

The Speaker announced the following committee changes:

Mr. Lagueux of Somersworth from the Committee on Agriculture to the Committee on Public Welfare and State Institutions.

Mr. Sewall of Newmarket from the Committee on Public Welfare and State Institutions to the Committee on Agriculture.

Mr. Janelle of Nashua from the Committee on Fish and Game to the Committee on Military Affairs.

Mr. Cavanaugh of Manchester from the Committee on Military Affairs to the Committee on Fish and Game.

Mr. Genest of Manchester from the Committee on Re-

sources, Recreation and Development to the Committee on Military Affairs.

Mr. O'Shan of Laconia from the Committee on Military Affairs to the Committee on Public Welfare and State Institutions.

Mrs. Corliss of Manchester from the Committee on Public Welfare and State Institutions to the Committee on Resources, Recreation and Development.

Mrs. Goodwin of Hollis to the Committee on Education in place of Mrs. Bell of Hollis, resigned.

Ruling of the Chair

The Speaker called attention to the members of House Rule No. 10, regarding visitors in Representatives Hall during sessions.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were suspended, business in order at 3:00 o'clock in the afternoon was made in order at the present time, and that the third readings of bills be by title, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

Third Readings

House Bill No. 21, An Act relative to procedure in collecting from bonds on public works.

House Bill No. 25, An Act relative to the time for beginning construction on town highways with apportionment A funds.

House Bill No. 70, An Act relating to destruction of documents, checks, and papers in the state treasurer's files.

Severally read a third time and passed and sent to the Senate for concurrence.

Communication

Honorable Fred T. Wadleigh
Milford, New Hampshire

Re: 1953 March of Dimes

Dear Mr. Wadleigh:

Your check for thirty-one dollars, transmitting the proceeds of the television collection in the House of Representatives for the March of Dimes, is deeply appreciated. You will

be interested to know that the campaign in New Hampshire is making good progress, but every possible dollar will be needed to care for the victims of poliomyelitis, the ravages of which are greater than ever before. With the discovery of the causes of poliomyelitis last year, we may hope that in the relatively near future a means may be found to control this disease, but for the present the fight must go on.

With my thanks to you and the members of the House for this contribution to the March of Dimes, I am

Very truly yours,

ROBERT W. UPTON

On motion of Mrs. Gardner of Guilford at 11:45 o'clock the House adjourned.

TUESDAY, FEBRUARY 3, 1953

The House met according to adjournment.

Joint Convention

Prayer was offered by Guest Chaplain Rev. Walter W. Swank, Smith Memorial Congregational Church, Hillsborough.

God of Order and of Law, assembled here in the interests of law and order, we sense the kinship of our labor with thy Nature. Thou hast established our world, and ordained the Law by which all things must live, and move and have their being. Thou hast brought forth man upon the earth, and for him too, ordained the Way, by which he may have life, and have it more abundantly. Endow us, then, we beseech thee, with the consciousness that we labor here as an apprentice serving a master. Our product cannot be our own, but can only make explicit, thine Order and thy Way. Reveal to us thy truth; that in it our law may stand. Impart to us a sense of right; that our law may be morally sound. Grant to us thye mercy, that it may ever season our justice. And this we would pray in the spirit of him who lived and spoke thy law, even Jesus, our Lord. *Amen.*

Budget Message

Mr. Speaker, Mr. President, and Members of the General Court:

The Constitution of the State of New Hampshire directs

that the spending of money by the Governor shall be "for the necessary support and defense of this state, and for the necessary protection and preservation of the inhabitants thereof, agreeably to the acts and resolves of the general court."

Through many years of legislative direction and administrative action the meaning of these words has been enlarged. New programs have been started. New responsibilities to the citizens and communities of the State have been undertaken. But the essential meaning of this phrase of the Constitution is as clear and as sound today as it was on its adoption in 1784.

Your Governor is here today to present for your consideration a budget that will support adequately the programs and commitments which New Hampshire has undertaken. I believe that the amounts which I am asking you to appropriate for 1954 and 1955 will enable the departments and agencies of this government to render effectively to the people the services required by law.

I pledge that I will steadfastly adhere to the letter and the law of any appropriation bill which is enacted. This budget represents my best judgment, but it is your judgment which will determine the actual appropriations. I will stand by your judgment in disbursing the funds you appropriate.

In preparing this budget for your consideration, I have constantly held in mind three basic principles:

1. The obligations of state government to its citizens must be recognized and supported by necessary appropriations.

2. The State must remain financially solvent. Like any prudent individual, the State cannot spend what it does not have.

3. The State must be as careful in spending the people's money, as the most prudent of its citizens. Every salary paid, every purchase made, every grant given and every service rendered must be individually justified as necessary, economical and productive.

The budget which I submit to you is in balance. The requests of departments, institutions and agencies for funds have, in most cases, been realistically reduced. Generally, the actual level of spending in the fiscal year 1952 has served as a measure for the funds needed in each year of the coming biennium.

I do not mean to infer that the requests made by the departments represent anything other than their honest judgment of their actual needs. The department heads, however, in most cases, are not in a position to have an overall view of State receipts and expenditures; therefore, in drawing up their individual budgets, it was not possible for them to estimate their needs based on the overall availability of funds for all State operations.

To correct any misconceptions which may exist, I would like to point out at this time that the appropriations which I am asking you to make are less than those asked of the last Legislature. Furthermore, they call for a smaller expenditure out of surplus funds than was requested of you in the last session.

I am convinced that careful planning and spending will enable the State to operate within the limits of this budget in a healthy and productive manner. I have asked that the appropriation for an emergency fund be continued to take care of any unforeseen emergencies which may arise.

This balanced budget will require an amount of revenue that can best be provided by reenacting the head tax for another two-year period. The tax statute, however, should have amendments that will provide more efficient and equitable collections. For example, I suggest that the tax be assessed as it is at the present time, but that the towns and cities be required to pay to the State Treasurer 90 percent of the assessed tax. The remaining 10 percent would be held by our towns and cities in lieu of fees and abatements. This will provide an incentive for prompt and efficient collections and will benefit diligent municipalities.

I am not asking the Legislature to enact any other broad base taxes. I do not believe such taxes are necessary at this time. It has been my observation of governments that when revenue is raised before it is needed, it offers an incentive to spend beyond the stern dictates of necessity. I am convinced that the people of New Hampshire do not want any increase in their tax burden.

I am sure that there will be changes made in this budget. Where an increase in an item is offset by a corresponding decrease in another item, no problem presents itself. If, however, this Legislature enacts new programs which will increase the total State expenditure, it must also provide some accept-

able source of revenue to keep the budget in balance.

The budget document that is presented to you this morning is a formidable bit of reading. As a partial aid to your understanding, we are distributing charts which show the sources and expenditure of the total state dollar and which show the relationship of total expenditures to net appropriations. I think it would be possible to present a much clearer budget in the future if the State of New Hampshire were to employ an executive budget officer, charged with assisting the Governor in the preparation of the budget for the Legislature. He would also be responsible for compliance with the budget by department heads after the Legislature has adjourned. You will find that I have asked for such an officer in this budget.

Part of the difficulty that exists in understanding our New Hampshire budget lies in the separation of its funds. The so-called sinking fund of the State is no longer a sinking fund in any meaningful sense. Its receipts account for a major part of State revenue, and for years the money in this fund has been transferred for use in the general operation of government. I note that your Legislative Budget Assistant has recommended that receipts of the sinking fund be credited to the general revenues of the State and that the sinking fund be abolished. I support such a proposal.

Budget preparation and budget enforcement in this State are unnecessarily hampered by inadequate budget control. Your Legislative Council, your Legislative Budget Assistant and your committees charged with appropriating State funds are all well aware, as am I, that the Comptroller's office must be equipped to handle budgetary procedures in a more adequate fashion. I suggest that you consider "modernizing" the Comptroller's office and commend to your study the recommendations of the Legislative Budget Assistant's report.

Time does not permit us this morning to discuss the budget in detail, but there are several items which I would particularly lake to bring to your attention.

Highway Funds

Highways, which take a large portion of the total money appropriated for the operation of the State, have a separate source of revenue and do not involve the general budget of the State.

We are now embarked on a fifteen-year plan for the im-

provement of our highway system which was adopted by the last Legislature. This plan has won national recognition and is being executed in an orderly manner. The State debt has been and will be increased as a result of the action taken, but underlying it is a financial plan for debt retirement out of road revenues which is being executed and which permits elimination of all debt within the fifteen-year-period. The plan should be continued as assential to the development of the State and for the welfare and convenience of our citizens.

New Hampshire, in common with a majority of the states, receives federal funds for highway aid. But we must not forget that citizens of New Hampshire, through the various taxes imposed by the federal government on motor vehicles and motor vehicle fuels, pay into the federal government about twice what the State receives back in the form of financial assistance. This situation is obviously one whereby there is no genuine assistance to the State on the part of the federal government. Several bills have already been introduced in Congress which would have the effect of reverting the present tax base on motor vehicle fuels to the states. I would, therefore, suggest that the General Court, through its able Committees on Public Works and Highways, consider this matter.

Motor Vehicle

Two changes should be noted in the Motor Vehicle Department, which also is supported out of highway funds.

It is suggested that drivers' licenses should be issued on a two-year basis with a renewal application forwarded to each holder of a license thirty days prior to expiration. To accomplish this, I request the appropriation of highway funds to install a mechanized system in the Motor Vehicle Department. With this expenditure, a saving would be made through use of the device for additional printing requirements. The Department would be able to distribute supplies in smaller volume and reduce the number of applications now required for registration.

In the interests of greater highway safety, I have asked that two instructors be added to the present number of personnel assigned to this work by the Motor Vehicle Department. The Highway Safety Program is supported by funds received from a five-cent charge for each inspection sticker as provided by the 1951 Legislature.

State Police

The Department of State Police, which is supported for the most part out of highway funds, has had no increase in the number of enforcement personnel since 1945 (except on the Toll Road); yet the number of registered motor vehicles in New Hampshire has increased since 1945 by 50,000. There is also a constant increase in out-of-State traffic each season. A few superhighways have been completed and others are scheduled to be finished in the next few years. Records show this increase in traffic results in more accidents to be investigated and more traffic and highway violations. I am recommending that four new troopers be added to the State Police force in each of the two years.

Fish and Game

The Fish and Game Department is entirely self-supporting except for a special legislative appropriation which establishes a Lobster Fund. All monies earned by the Department are held by the State Treasurer in a continuing Fish and Game Fund. No part of this fund may be diverted to any other department without the loss of more than $100,000.00 of federal funds annually available for fish and game purposes. Money now held in the Fish and Game Fund will be sufficient to enable the Fish and Game Department to carry out long-range plans to increase its capacity for supplying better fishing and hunting during this biennium.

* * * * * *

In the use of the general funds of the State, I call your special attention to these changes affecting net appropriations:

State Aid

The responsibility for financing an adequate system of public education in New Hampshire rests upon the State and local school districts. Critical problems are facing local school districts, such as: increasing costs of education; expanding school enrollments which have jumped more than 8% in the last two years and are estimated to become 50% greater in 1960 than in 1950; increased demand for new and improved school building construction; and the lack of sufficient assessed valuation at the local level to support an adequate school program without an excessive tax burden. Toward meeting these obligations, I suggest that State aid to schools be in-

creased by 50% to raise the level of grants to $900,000 each year.

Planning and Development

It is recommended that the Planning and Development Commission be given a substantial increase for the coming biennium over that for the two years now ending.

These increases, however, are almost entirely for two most essential functions. It is proposed that $50,000 per year be spent in the next two years for white space advertising. Literature, postage and labor costs will be roughly double those of the present biennium as a result of inquiries generated by this stepped up program. The cooperative effort of the Planning and Development Commission and such agencies as the regional associations, local boards of trade and This Is New Hampshire, Incorporated, should provide the state with an dequate program which will enable us to hold our own in a highly competitive market.

The second recommended substantial increase is for planning activities in the Seacoast Region necessitated by the impact of a multi-million dollar jet airbase in that area.

University of New Hampshire

I propose that the State University be granted an increase of $275,000 above the amount that a formula of 1½ mills per dollar of equalized valuation of the State would establish. I am asking also that this Legislature appropriate the $70,000, not voted last session, and which is necessary to bring the University grant up to the millage formula that is now provided in the law.

I justify the increased grant to the University entirely on the need for salary increases at the institution. I believe that its tuition rates, which are among the highest in the nation for State Universities, should not be further increased at this time. I think the State cannot escape its increased responsibility to the young people of New Hampshire desiring college education.

Unclassified Personnel

Based upon the high salary levels of unclassified positions in Maine and Vermont, the vast difference between salaries paid in industry, and considering the relationship between classified and unclassified salaries in State service, I recommend

the adoption of the Legislative Council's proposals (with slight modification) for increases in the salaries of our unclassified employees. With certain step-in-range adjustments within the proposed ranges, the present problem of department heads receiving a lesser salary than some of their employees will not exist.

Classified Personnel

For classified personnel, I recommend an increase of 7% of the 1950 salary level or $100 over the present salary, whichever is greater. In addition, my proposal calls for dropping the work week for those employees working 51 hours per week to 48 hours; for those employees working 44 hours per week to 40 hours; and putting troopers, motor vehicle inspectors, liquor investigators, and conservation officers on a standard 5½ day work week. The justification and detail of this plan is set out in the budget document.

Your Governor has in no sense entered into any wage negotiations with any State employees, nor have I in any way attempted to commit the State to any salary increase proposals of any nature. Yet, I am pleased to tell you that the wage increases suggested in the budget document have the endorsement of both organizations which represent the classified employees of the State.

Agriculture

A brief explanation is demanded by an apparently large increase in the budget for the Department of Agriculture. The combined appropriation for Bangs disease control and the eradication program for the next two years is $232,726; whereas, the actual amount expended under the previous bond issue method of budgeting for the last two years was $242,115. This change of procedure from bond issue budgeting to the regular Department of Agriculture operating budget will not only not cost us any more; but, in the long run, will save us the interest payments on bond issues.

State Institutions

I have asked an increased appropriation for maintenance at State institutions and ask that these amounts be considered as the costs of the first two years in a five-year plan of rehabilitating the state's buildings and property. Years of scarcity and a limited economy have prohibited proper upkeep of our buildings. Reduced budgets have been reflected in deferred main-

tenance. We are arriving at a state of "continuing emergency." Further deterioration will result in increased capital outlays. My proposed increases will provide better maintenance of the State's institutional plant.

Probation Department

I suggest that four new probation officers be authorized by you for the next two years. Since 1949 more than $300,000 in uncollected court orders on cases receiving grants from the Welfare Department remains on the Probation Department's books. This large amount represents uncollected payments which have been ordered by the courts for the support of dependent children. It is estimated that at least one-half of this amount is collectible. Under the law it should be collected and paid to the Department of Welfare to suppliment grants paid by the Welfare Department for dependent children. Furthermore, it is apparent that this arrearage is increasing at the alarming rate of about $100,000 per year.

It seems to me that it is sound business procedure for New Hampshire to spend an additional amount, when, by so doing, this department can succeed in collecting an additional $150,000 or more. At the same time, taxpayers will be spared the burden of supporting families which should rightfully be supported by the heads of families.

Conclusion

Supporting the level of expenditure which I recommend in this budget are my best estimates of State revenues and grants of Federal funds. Before final action is taken on the budget, it is very probable that actual experience or Act of Congress will indicate that these estimates need revision, and I shall promptly notify the Legislature whenever I feel such revisions should be made.

I am presenting this budget to you approximately two weeks earlier than the date set by the budget law in the hope that the length of the 1953 session might be shortened thereby. As soon as possible I shall transmit my capital budget recommendations. Of course, I do not urge on you hasty or ill-considered judgment. The amounts you appropriate govern the quality of service that your government renders to the people of the State and the demands that State government must make on the pocketbooks of all of us. These matters deserve your

close attention and your informed action. I am hopeful that such action can be accomplished with promptness. At any time I stand ready to be of assistance to you and your committees charged with the study of the budget document.

In closing, I wish to express my sincere appreciation to those who have been so generous with their time and effort in making my presentation of the budget possible.

I thank you for your courtesies this morning.

On motion of Senator Rowell, District No. 8, the Convention rose.

House

Leaves of Absence

Messrs. Roy of Manchester, Spaulding of Hudson, and Clement of Rochester were granted leave of absence for the day on account of important business.

Mrs. Studley of Rochester was granted leave of absence for the week on account of illness.

Mr. Whittier of Bethlehem was granted leave of absence for Tuesday and Wednesday on account of important business.

Mr. French of Weare was granted leave of absence for the week on account of illness.

Introduction of Bills

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Crandall of Dover, House Bill No. 177, An Act to revise and clarify the charter of the city of Dover. To the Delegation from the City of Dover.

By Mr. Pillsbury of Manchester, House Bill No. 178, An Act relative to increasing benefits under workmen's compensation law. To the Committee on Labor.

By Mr. Wirkkala of Lempster, House Bill No. 179, An Act relative to maintenance allotment for class V highways. To the Committee on Public Works.

By Mr. Pillsbury of Manchester, House Bill No. 180, An Act relating to the salaries of the justice, special justice and clerk of the municipal court of Manchester. To the Delegation from the City of Manchester.

By Mr. Davis of Cornish, House Bill No. 181, An Act

increasing fees for licensing dogs. To the Committee on Municipal and County Government.

By Mr. Willey of Campton, House Bill No. 182, An Act providing additional charges for failure to pay the fee for a dog license. To the Committee on Municipal and County Government.

By Mr. Willey of Campton, House Bill No. 183, An Act relative to per diem and mileage expenses of members of the county convention who are not representatives. To the Committee on Municipal and County Government.

By Mr. Whittier of Bethlehem, House Bill No. 184, An Act relating to out-of-state motor vehicles. To the Committee on Transportation.

By Mr. Whittier of Bethlehem, House Bill No. 185, An Act relative to the expiration of licenses to operate. To the Committee on Executive Departments and Administration.

By Mr. Saidel of Manchester, House Bill No. 186, An Act relative to probate courts. To the Committee on Judiciary.

By Mr. Kershaw of Swanzey, House Bill No. 187, An Act relating to the taxation of municipal airports and other aeronautical facilities. To the Committee on Aviation.

By Mr. Fernald of Rochester and Mrs. Hundley of Portsmouth, House Bill No. 188, An Act relative to special fish and game licenses for members of the armed forces of the United States. To the Joint Committee on Fish and Game and Military and Veterans' Affairs.

By Mr. Leary of Portsmouth, House Bill No. 189, An act authorizing the city of Portsmouth to raise money and to issue bonds for school purposes. To the Delegation from the City of Portsmouth.

By Mr. Colburn of Nashua, House Bill No. 190, An Act to increase the powers of Rivier College. To the Committee on Judiciary.

By Mr. Whittier of Bethlehem, House Bill No. 191, An Act increasing fees for motor vehicle operators. To the Committee on Executive Departments and Administration.

By Mr. Plumer of Bristol, House Bill No. 192, An Act relative to courses of study in schools relative to physical education and the safe use of firearms. To the Committee on Education.

By Mr. Fernald of Rochester, House Bill No. 193, An

Act relative to sale of brook trout for use as food. To the Committee on Fish and Game.

By Mr. Comi of Concord, House Bill No. 194, An Act relative to the bag limit for taking raccoons. To the Committee on Fish and Game.

By Mr. Cavanaugh of Manchester, House Bill No. 195, An Act relative to height of trucks used on highways. To the Committee on Transportation.

By Messrs. Kearns and Pillsbury of Manchester, House Bill No. 196, An Act providing for released time from school attendance for religious education. To the Committee on Education.

By Mr. Chase of Dover, House Bill No. 197, An Act relative to authority of the director of the state veterans council to act as guardian of mentally incompetent veterans in certain cases. To the Committee on Military and Veterans Affairs.

By Mr. Dussault of Berlin, House Bill No. 198, An Act to amend the unified personnel system for the state. To the Committee on Executive Departments and Administration.

By Mr. Diffenderfer of Ossipee, House Bill No. 199, An Act relating to the transportation and tagging of deer. To the Committee on Fish and Game.

By Mrs. Morey of Hart's Location, House Joint Resolution No. 24, Joint Resolution relative to a study of sports activities in the Mount Washington, Pinkham and Crawford Notch areas. To the Committee on Resources, Recreation and Development.

By Mr. Wardwell of Portsmouth, House Joint Resolution No. 25, Joint Resolution relative to insurance on motor vehicles. To the Committee on Insurance.

By Mr. Weeks of Stewartstown, House Joint Resolution No. 26, Joint Resolution in favor of the town of Stewartstown in the county of Coos. To the Delegation from the County of Coos.

Committee Reports

Mr. Lamson of New London for the Committee on Insurance to whom was referred House Bill No. 28, An Act providing for the licensing of agents of fraternal benefit societies. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Martel of Manchester moved that the bill be recommitted to the Committee on Insurance.

The question being on the motion to recommit.

(Discussion Ensued)

Messrs. Martel and Pillsbury of Manchester and Lamson of New London spoke in favor of the motion.

On a *viva voce* vote the motion to recommit prevailed, and the bill was recommitted to the Committee on Insurance.

Mr. Healy of Manchester, Ward 6 for the Committee on Judiciary to whom was referred House Bill No. 15, An Act relative to compensation of jurors. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Grand and Petit Jurors.* Amend section 26 of chapter 375 of the Revised Laws, as amended by chapter 117 and 200 of the Laws of 1947 and section 1, chapter 2, Laws of 1949, by striking out the word "five" in the fourth line and inserting in place thereof the word, six; further amend by striking out the word "six" in the fifth line and inserting in place thereof the word, seven, so that said section as amended shall read as follows: 26. *Compensation.* Grand and petit jurors shall be paid by the county for each day or part of a day which is spent in actual attendance at court, six dollars each; for travel to and from court each day, each mile seven cents; for each day in actual attendance at court one dollar for expenses; talesmen shall receive compensation and allowances for travel and expenses in the same manner and amount as grand and petit jurors.

The report was accepted and the bill with the amendment pending, was laid upon the table to be printed.

Mr. Eastman of Kensington for the Committee on Judiciary to whom was referred House Bill No. 36, An Act relative to agricultural fairs. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

Mr. Brown of Loudon moved that the words "ought to pass" be substituted for the words inexpedient to legislate.

The question being on the motion to substitute.

(Discussion Ensued)

Messrs. Brown of Loudon, and Martel of Manchester spoke in favor of the motion.

Mr. Wells of Newton spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the resolution of the committee, that it is inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. English of Hancock for the Committee on Resources, Recreation and Development to whom was referred House Joint Resolution No. 2, A Joint Resolution relative to lookout tower on Crotched Mountain. Having considered the same, reported the same with the following amendment, and the recommendation that the Joint Resolution as amended ought to pass.

Amend said joint resolution by striking out all after the resolving clause, and inserting in place thereof the following:

That the forestry division of the forestry and recreation department is hereby directed to maintain the lookout tower on Crotched Mountain in Francestown during any periods of the year when in its opinion hazardous fire conditions prevail. The sum of one thousand dollars ($1,000) for the fiscal year ending June 30, 1954 and the sum of six hundred and fifty dollars ($650) for the fiscal year ending June 30, 1955 are hereby appropriated to be expended by the forestry division for the purpose of repairing said tower and providing for the maintenance of the same during such periods as said provision shall be necessary. The Governor is authorized to draw his warrants for the sums hereby appropriated in the treasury not otherwise appropriated.

The report was accepted.

The bill with amendment pending, was referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Public Welfare and State Institutions to whom was referred House Bill No. 57, An Act relative to meetings of the board of trustees for the state sanatorium. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the word "special" in the fifth line and inserting in place thereof the words, other regular, so that said section as amended shall read as follows: 1. *Trustees of Institutions.* Amend section 4 of chapter 14 of the Revised Laws by striking out said section and inserting in place thereof the following: 14. *Meetings.* Regular meetings of the board of trustees of the state sanatorium shall be held at the sanatorium at least four times a year. Other regular meetings of said board shall be held at such other times and places as may be deemed necessary by said trustees. Regular meetings of the board of trustees of the other institutions shall be held at least once a month at the institution of which they have charge and special meeings at such other times and places as may be deemed necessary for the proper performance of their duties. Each board shall have authority, subject to state personnel regulations, and within available appropriations and funds, to employ such clerical and other assistants as may be necessary for the proper performance of their duties.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate, by its clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 8, An Act relative to the Legislative Council.

House Bill No. 9, An Act relative to compensation of legislative employees.

House Bill No. 27, An Act relative to change of highway in Rindge.

Resolution

Mr. Downs of Conway offered the following resolution:

Whereas, We have learned of the passing of Leslie C. Hill

Representative from the Town of Conway during the present session and for several previous sessions, therefore be it

Resolved, That we, the Members of the House of Representatives, pay tribute to our fellow member for his services to his town and state, and extend our heartfelt sympathy to his family in its bereavement, and be it further

Resolved, That when the House adjourns today, it be in respect to the memory of Representative Hill, and be it further

Resolved, That the Clerk of the House transmit to Mrs. Hill a copy of these resolutions.

The question being on the resolution.

On a rising vote the resolution was unanimously adopted.

Special Order

Mrs. Morey of Hart's Location called for the special order, it being the amendments to the Joint Rules of the House and Senate as sent down from the Honorable Senate.

Mr. Ferguson of Pittsfield moved that the House concur in the amendments sent down from the Honorable Senate, to the Joint Rules.

The question being on the motion to concur.

(Discussion Ensued))

Messrs. Ferguson of Pittsfield, Barry of Wilton, and Wells of Newton spoke in favor of the motion.

Messrs. Soucy, Ward 1, and Kearns of Manchester, Perley of Lebanon and Benson of Conway spoke against the motion.

Mr. Ferguson of Pittsfield subsequently withdrew his motion to concur.

Mr. Wells of Newton moved that the House non-concur in the amendments sent down from the Honorable Senate and that a committee of conference be appointed.

The question being on the motion to non-concur.

(Discussion Ensued)

Messrs. McMeekin of Haverhill, and Pillsbury of Manchester spoke in favor of the motion.

Mrs. Brungot of Berlin, and Perley of Lebanon spoke against the motion.

Mr. Soucy of Manchester, Ward 1, moved that the amend-

ments sent down from the Honorable Senate be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion Ensued)

Messrs. Soucy, Geisel, Martel and Kearns of Manchester spoke in favor of the motion.

Messrs. Wells of Newton, McMeekin of Haverhill and Fernald of Rochester spoke against the motion.

Mr. Burnham of Alstead moved the previous question.

The question being:

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *vica voce* vote the motion to indefinitely postpone did not prevail.

Mr. Martel of Manchester asked for a division.

A division being had 133 members having voted in the affirmative, and 193 members having voted in the negative, the motion to indefinitely postpone did not prevail.

Mr. Holden of Hanover moved that the amendments sent down from the Honorable Senate be laid upon the table, but subsequently withdrew his motion.

The question being on the motion to nonconcur and that a committee of conference be appointed.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of such committee on the part of the House, Messrs. Wells of Newton, Soucy of Manchester, Ward 1, and Malley of Somersworth.

Reconsideration

Mr. Pillsbury of Manchester moved that the House reconsider its vote whereby it voted to nonconcur and a committee of conference was appointed, to the joint rules as sent down from the Honorable Senate.

On a *viva voce* vote the motion did not prevail.

Appointment

Pursuant to the provisions contained in House Joint Res-

olution No. 10, Joint Resolution relative to a special committee for a study procedure in state institutions for the purchase of foods, the Speaker appointed on the part of the House Mr. Geisel of Manchester, Mrs. Hayward of Hanover and Mr. Malley of Somersworth.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended, as to allow business in order at 3:00 o'clock to be in order at the present time, and that the third reading of a bill be by its title only.

Third Reading

House Bill No. 57, An Act relative to meetings of the board of trustees for the state sanatorium.

Read a third time and passed and sent to the Senate for concurrence.

Qualified

Mr. Mendenhall of Dunbarton having qualified before His Excellency, the Governor, then appeared and took his seat as a member of the House.

On motion of Mrs. Nutter of Epsom at 1:50 o'clock the House adjourned.

WEDNESDAY, FEBRUARY 4, 1953

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O Thou God of unlimited vision and who knowest what tomorrow will bring forth to each of us; while we do not ask to know our appointed lot in the days to come, we do most earnestly beseech Thee to help us, here and now, to determine what that future shall be by what we are today. Lead us to the moral heights of personal honesty and political integrity and, sustain us with a deep sense of the rights of others. In our relations with other, our Father, we pray, not so much that we may be understood as that we may understand, not so much that we may be appreciated by others, but that we may more deeply understand and appraise the worth of others.

Help us to ever remember that the love of Jesus Christ was small enough to embrace a child and broad enough to encircle the whole world. In His name we ask this. *Amen*

Leaves of Absence

Messrs. Sweeney, Wheeler and Codding of Keene were granted leave of absence for the day on account of important business.

Mrs. Delude of Unity was granted leave of absence for the remainder of the week on account of illness.

Mr. Keenan of Dover was granted leave of absence for the remainder of the week on account of important business.

Mr. Holden of Newington was granted leave of absence for an indefinite period on account of important business.

Mr. Paradis of Manchester was granted leave of absence for the day on account of illness.

Introduction of Bills

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Keenan of Dover, House Bill No. 200, An Act relative to a five-day week for the city of Dover police department. To the Delegation from the City of Dover.

By Mr. Waling of Keene, House Bill No. 201, An Act relating to by-laws and ordinances for observance of the Lord's Day. To the Committee on Judiciary.

By Mr. Kearns of Manchester, House Bill No. 202, An Act relative to the barbers examining board. To the Committee on Public Health.

By Mr. Foote of Portsmouth, House Bill No. 203, An Act changing the name of Portsmouth Building and Loan Association of Portsmouth, New Hampshire to Portsmouth Cooperative Bank. To the Delegation from the City of Portsmouth.

By Mr. Geisel of Manchester, House Bill No. 204, An Act relating to the powers of savings banks. To the Committee on Banks.

By Mr. Brown of Strafford, House Bill No. 205, An Act in relation to the disposition of game. To the Committee on Fish and Game.

By Mr. Foote of Portsmouth, House Bill No. 206, An Act relative to filling vacancy in office of city manager of Portsmouth. To the Delegation from the City of Portsmouth.

By Mr. Foote of Portsmouth, House Bill No. 207, An Act relative to meetings of the council of Portsmouth. To the Delegation from the City of Portsmouth.

By Mr. Foote of Portsmouth, House Bill No. 208, An Act relative to filling vacancies in office of councilman of the city of Portsmouth. To the Delegation from the City of Portsmouth.

By Mr. Foote of Portsmouth, House Bill No. 209, An Act relative to compensation of councilmen of the city of Portsmouth. To the Delegation from the City of Portsmouth.

By Mr. Saidel of Manchester, House Bill No. 210, An Act relative to the salary of the solicitor of Hillsborough County. To the Delegation from the County of Hillsborough.

By Mr. Gale of Jackson, House Bill No. 211, An Act relative to nonresident trustees. To the Committee on Judiciary.

By Mr. Gale of Jackson, House Bill No. 212, An Act relative to forms of accounting by trustees. To the Committee on Judiciary.

By Mr. Janelle of Nashua, House Bill No. 213, An Act relative to unincorporated associations. To the Committee on Judiciary.

By Mr. Janelle of Nashua, House Bill No. 214, An Act relative to the Boynton Common School Fund. To the Committee on Executive Departments and Administration.

By Mr. Hodgdon of Tuftonboro, House Joint Resolution No. 27, Joint Resolution in favor of Carroll County. To the Committee on Appropriations.

On motion of Mr. McMeekin of Haverhill the rules of the House were so far suspended as to dispense with the printing of House Joint Resolution No. 27.

By Mrs. Holmes of Amherst, House Joint Resolution No. 28, Joint Resolution in favor of the estate of James A. Robinson. To the Committee on Appropriations.

On motion of Mr. Pillsbury of Manchester the rules of the House were so far suspended as to dispense with the printing of House Joint Resolution No. 28.

Committee Reports

Miss Horner of Thornton for the Committee on Executive Departments and Administration to whom was referred House Bill No. 58, An Act relative to qualifications for voting and issuance of transfer cards. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Keenan of Dover for the Special Committee consisting of the delegation from the city of Dover to whom was referred House Bill No. 156, An Act relative to salary of the special justices of the municipal court of Dover. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the word "five" in the fourth and twelfth lines and inserting in place thereof the word, two, so that said section as amended shall read as follows: 1. *Dover Municipal Court.* Amend section 4 of chapter 377 of the Revised Laws as amended by chapters 179 and 260 of the Laws of 1947 by inserting after the words "fifteen hundred dollars" in the ninth line the words "of Dover two hundred dollars" so that said section as amended shall read as follows: 4. *Compensation of Special Justices.* The special justice and special justice of the peace requested to sit owing to the disqualification of the justice and special justice shall be paid, from the treasury of the city or town wherein said court is located, three dollars a day for each day or part thereof that he shall serve in said capacity; provided, that the annual salaries of the special justices of the municipal courts of the following cities and town shall be as follows, of Manchester eighteen hundred dollars, of Nashua fifteen hundred dollars, of Dover two hundred dollars, of Concord five hundred dollars, of Portsmouth four hundred dollars, of Laconia two hundred dollars and of Hampton one hundred and fifty dollars, to be paid by said cities and town, respectively, quarterly, and shall be in lieu of any other compensation or fees to such justices.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Wheeler of Keene for the Committee on Resources, Recreation and Development to whom was referred House Bill No. 85, An Act relating to permits for kindling fires. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Concurrent Resolution

Mr. Holden of Hanover offered the following concurrent resolution:

Be it Resolved by the House of Representatives, the Senate concurring:

Whereas there is definite need for prompt and extensive correction of the critical deficiencies of our streets and highways in the interest both of our economy and our national security; and

Whereas highways of the country, including the streets and bridges, are by tradition and by law, the property and responsibility of the states and the subdivisions thereof; and

Whereas many of the states are in need of additional revenue for the construction and maintenance of their highways, but are experiencing extreme difficulty in their efforts to obtain additional revenues for highway purposes because of the magnitude of the existing over-all tax burden now imposed upon the motor-using public; and

Whereas the Federal Government imposed its taxes on motor vehicles, motor fuel, lubricating oil, tires and tubes, parts and accessories as temporary emergency measures during the depression of the early 1930s, but has continued these taxes in effect ever since at increasing rates; and

Whereas taxation of motor fuel traditionally has been relied upon by the states to produce a major part of the revenues necessary to construct and maintain their highways, and that the Federal Government, by its continued intrusion in this field, has so increased the tax burden on the highway user as virtually to preclude further increases in such taxes by the states; and

Whereas the Governors' Conference, the Western Governors' Conference, the Eleventh General Assembly of the

States, the National Grange and the American Farm Bureau Federation recently have urged immediate repeal of the Federal gasoline tax;

Therefore, be it Resolved that the Legislature of New Hampshire urgently requests that the Federal Government retire immediately from the field of motor fuel taxation.

Be it Further Resolved that the Governor send copies of this resolution to the representatives of our state in Washington with the request that they appear at the appropriate time before the appropriate committees of Congress for the purpose of urging that the Federal tax on motor fuel be eliminated.

The concurrent resolution was referred to the Committee on Public Works.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on the Concurrent Resolution relating to the Joint Rules of the Senate and House of Representatives.

The President appointed as members of such committee on the part of the Senate, Senators Cleveland and Hayes.

Resolution

Mr. Spaulding of Hudson offered the following resolution:

Resolved, that the Clerk of the House obtain from the Office of the Attorney General a complete list of all bills in the Attorney General's hands for drafting, and shall publish the list of Bills in the Appendix of the Journal for Thursday February 5, 1953 by Title, and name of sponsor.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time and that the third readings of bills be by their titles only.

Third Readings

House Bill No. 58, An Act relative to qualifications for voting and issuance of transfer cards.

House Bill No. 85, An Act relative to permits for kindling fires.

House Bill No. 156, An Act relative to salary of the special justices of the municipal court of Dover.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Holmes of Amherst at 11:45 o'clock the House adjourned.

THURSDAY, FEBRUARY 5, 1953

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Rev. Phillip Smith, Christ Episcopal Church, Exeter.

Almighty God, who dost will for all people such good things as pass man's understanding, shape the desires and deeds of thy people in accordance with Thy purpose for the world, that seeking first thy Kingdom and righteousness we may be good citizens of this nation and state and set forth the true welfare of mankind. Grant us sound government and just laws, good education and a clean press, simplicity and justice in our relations with one another, and above all a spirit of service which will abolish pride of position and inequality of opportunity, to Thy honor and glory, through Jesus Christ our Lord. *Amen.*

Concurrent Resolution

Mr. Rathbone of Exeter offered the following concurrent resolution:

Deeply concerned over the recent disaster which has befallen the people of England, Belgium and the Netherlands together with the hardship, suffering, loss of life and property which it has entailed, the people of New Hampshire, through their Representation in General Court Assembled, hereby extend their heartfelt sympathy. Not unmindful of the immediate need of the necessities of life, we furthermore urge private citizens and humanitarian organizations of our state to send such supplies as are needed through whatever channels available, now therefore be it

Resolved, That a copy of these resolutions be forwarded

by the Secretary of State to the accredited Representatives in England, Belgium and the Netherlands.

On a *viva voce* vote the resolution was adopted.

Reconsideration

Mr. Spaulding of Hudson moved that the House reconsider its vote whereby it voted to adopt the following resolution,

Resolved, that the Clerk of the House obtain from the Office of the Attorney General a complete list of all bills in the Attorney General's hands for drafting, and shall publish the list of Bills in the Appendix of the Journal for Thursday February 5, 1953 by Title, and name of sponsor.

On a *viva voce* vote the motion to reconsider prevailed.

Mr. Spaulding of Hudson moved that the above resolution be voted in the negative.

The question being on the motion.

On a viva voce vote the motion prevailed.

Resolution

Mr. Spaulding of Hudson offered the following resolution:

Resolved, That the office of the Attorney-General be requested to furnish to the House information relative to the number of bills still remaining to be drafted, together with the names of the sponsors and the title of or a brief description of the subject matter.

Further Resolved, That the information so furnished shall be printed in the Journal of February 10th.

The question being on the resolution offered by the member from Hudson.

On a *viva voce* vote the resolution was adopted.

Mr. Lang of Manchester offered the following resolution:

Whereas, Sunday, February 8, 1953, will be the Fiftieth or Golden Wedding Anniversary of Mr. and Mrs. Harry E. Sherwin of Rindge, and

Whereas, Mr. Sherwin is the Representative in this and other sessions from the town of Rindge, therefore be it

Resolved, That we, the Members of the House of Representatives of New Hampshire General Court extend to our follow member and his wife our heartiest congratulations and

best wishes for many more years of happy married life, and be it further

Resolved, That when the House adjourns today, it be in honor of them and that the Clerk send to them a copy of these Resolutions.

On a *viva voce* vote the resolution was adopted.

Introduction of Bills

The following bills and joint resolution were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mrs. Payette of Portsmouth, House Bill No. 215, An Act relating to the charter of the city of Portsmouth. To the Delegation from the City of Portsmouth.

By Mr. Angus of Claremont, House Bill No. 216, An Act amending the Unemployment Compensation Law. To the Committee on Labor.

By Mr. Angus of Claremont, House Bill No. 217, An Act relative to unemployment compensation weekly benefit rate. To the Committee on Labor.

By Mr. Perkins of Concord, Ward 3, House Bill No. 218, An Act relative to salaries of court stenographers. To the Committee on Judiciary.

By Mr. Scamman of Stratham, House Bill No. 219, An Act relative to the state share of the salaries of superintendents of supervisory unions. To the Committee on Education.

By Mrs. Otis of Concord, House Bill No. 220, An Act relative to unemployment compensation merit rating. To the Committee on Labor.

By Mr. Nehring of New Durham, House Bill No. 221, An Act revising the election in the town of New Durham. To the Committee on Municipal and County Government.

By Mr. Plumer of Bristol, House Bill No. 222, An Act to make superintendents employees of supervisory unions rather than employees of the state and to repeal the state *per capita* tax on school districts. To the Committee on Education.

By Mr. Temple of Nashua, House Bill No. 223, An Act relating to suits by and against administrators. To the Committee on Judiciary.

By Mr. Pinkham of Northwood, House Bill No. 224, An

Act relative to the East Northwood Cemetery Association. To the Committee on Executive Departments and Administration.

Printing Dispensed With

On motion of Mr. Pillsbury of Manchester the rules of the House were so far suspended as to dispense with the printing of House Bill No. 224.

By Mr. Thompson of New Ipswich, House Bill No. 225, An Act to amend the charter of New Ipswich Academy relative to the board of trustees. To the Committee on Executive Departments and Administration.

By Mrs. Wastcoat of Candia, House Bill No. 226, An Act relative to marking ballots at elections. To the Committee on Judiciary.

By Mr. Moore of Bradford, House Bill No. 227, An Act relative to residential requirements and registration of voters. To the Committee on Judiciary.

By Mr. Robb of Manchester, House Bill No. 228, An Act relative to the issuance of one license plate for motor vehicles To the Committee on Executive Departments and Administration.

By Mr. Benson of Conway, House Joint Resolution No. 29, Joint Resolution in favor of the estate of Leslie C. Hill. To the Committee on Appropriations.

On motion of Mr. McMeekin of Haverhill the rules of the House were so far suspended as to dispense with the printing and reference to committee of House Joint Resolution No. 29, and that the resolution be put upon its third reading and final passage by caption only, at the present time.

House Joint Resolution No. 29 was then read a third time and passed and sent to the Senate for concurrence.

Committee Reports

Mr. Ferguson of Pittsfield for the committee on Appropriations to whom was referred House Bill No. 16, An Act extending certain aeronautical appropriations. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the figures "1957" in the fifth line and inserting in place the figures, 1955,

so that said section as amended shall read as follows: 1. Time extended. Any unexpended balance of the amounts appropriated by section 33 of chapter 306 of the Revised Laws, as inserted by section 10, chapter 281, Laws of 1947, as amended by chapter 162, Laws of 1951, shall be available for expenditure as provided in said section until June 30, 1955.

The report was accepted the amendment adopted and the bill ordered to a third reading.

Mr. McDaniel of Nottingham for the Committee on Appropriations to whom was referred House Joint Resolution No. 14, Joint Resolution providing for an appropriation to reimburse the Governor's emergency fund. Having considered the same, reported the same with the recommendation that the Joint Resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Killeen of Walpole for the Committee on Appropriations to whom was referred House Joint Resolution No. 17, Joint Resolution relative to claim of Footwear Center. Having considered the same, reported the same with the recommendation that the Joint Resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Pillsbury of Manchester for the Committee on Appropriations to whom was referred House Joint Resolution No. 19, Joint Resolution in favor of Wilda C. Masse. Having considered the same, reported the same with the following amendment, and the recommendation that the Joint Resolution as amended ought to pass.

Amend the joint resolution by striking out in the first and second lines the words and figures "one hundred sixty-two dollars and seventy-five cents ($162.75)" and inserting in place thereof the words and figures, one hundred twelve dollars and seventy-five cents ($112.75); further amend by striking out in the fifth, sixth and seventh lines the words "The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated" and inserting in place thereof the words, The sum hereby appropriated shall be a charge against the funds of the Fish and Game Commission, so that said resolution as amended shall

read as follows: That the sum of one hundred twelve dollars and seevnty-five cents ($112.75) be and hereby is appropriated to reimburse Wilda C. Masse for damage done to merchandise when a wild deer broke into her store at 8 Hanson Street, Rochester, New Hampshire on December 23, 1951. The sum hereby appropriated shall be a charge against the funds of the Fish and Game Commission.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Barry of Wilton for the Committee on Appropriations to whom was referred House Joint Resolution No. 22, Joint Resolution in favor of Norman Sicard. Having considered the same, reported the same with the following Resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Matthews of New Hampton for the Committee on Judiciary to whom was referred House Bill No. 83, An Act relating to mortgages or deeds of trust. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Mortgage or Deed of Trust.* Amend section 4 of chapter 261 of the Revised Laws by striking out the word "contract" in the fifth line and inserting in place thereof the words, mortgage or deed of trust or in a contract referred to in the mortgage or deed of trust, so that said section as amended shall read as follows: 4. *Present Agreement.* A mortgage or deed of trust which purports to be given in whole or in part as security for notes or bonds thereafter to be issued or other expectant future obligations, and which states the nature of the obligations designed to be secured by it, the amount thereof presently to be issued, if any, and the limitations, if any, contained in the mortgage or deed of trust or in a contract referred to in the mortgage or deed of trust with respect to the total or maximum amount thereof ultimately to be issued, shall become a lawful security for the same as, when and to the extent that they shall actually be issued or come into existence as valid obligations of the mortgagor.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Maxham of Concord for the Committee on Public Welfare and State Institutions to whom was referred House Bill No. 32, An Act relating to students attending educational institutions under reciprocal agreements. Having considered the same, reported the same with the recommendation that the bill ought to pass and be referred to the Commitee on Education.

The report was accepted and the bill was referred to the Committee on Education.

Mr. Maxham of Concord for the Committee on Public Welfare and State Institutions to whom was referred House Bill No. 33, An Act relative to nonresident students at University of New Hampshire. Having considered the same, reported the same with the recommendation that the bill ought to pass and be referred to the Committee on Education.

The report was accepted, and the bill was referred to the Committee on Education.

Mr. Maxham of Concord for the Committee on Public Welfare and State Institutions to whom was referred House Bill No. 38, An Act enlarging the powers and duties of the trustees of the state college and university. Having considered the same, reported the same with the recommendation that the bill ought to pass and be referred to the Committee on Education.

The report was accepted, and the bill was referred to the Committee on Education.

Mr. Clow of Wolfeboro for the Committee on Public Health to whom was referred House Bill No. 11, An Act relative to compensation for members of the barbers' examining and licensing board, and to fees for renewal of certain licenses. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill was referred to the Committee on Appropriations under the rules.

Mrs. Otis of Concord for the Committee on Public Health to whom was referred House Bill No. 31, An Act relative to protection from adulterated and misbranded foods, drugs, devices and cosmetics. Having considered the same reported the

same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2. *Definition of Drug.* Amend paragraph II, section 2, chapter 164, Revised Laws, as amended by section 1, chapter 61, Laws of 1947 by striking out the words "except that such term shall not include soaps" in the last line, so that said paragraph as amended shall read as follows: II. The term "drug" means (1) articles recognized in the official United States Pharmacopoeia or official National Formulary, or any supplement to any of them; and (2) articles intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or other animals; and (3) articles (other than food) intended to affect the structure or any function of the body of man or other animals; and (4) articles intended for use as a component of any article specified in clause (1), (2), or (3); but does not include devices or their components, parts, or accessories.

Amend paragraph XIII of section 2, chapter 164 of the Revised Laws, as inserted by section 3 of the bill by striking out all after the word "Pharmacopoeia" where it first occurs in the second line, so that said paragraph as amended shall read as follows:

XIII. The term "official compendium" means the official United States Pharmacopoeia.

Amend paragraph II of section 5, chapter 164, Revised Laws, as inserted by section 4 of the bill by striking out all after the word "label" in the twelfth line, so that said paragraph as amended shall read as follows: II. If it purports to be or is represented as a drug the name of which is recognized in an official compendium, and its strength differs from, or its quality or purity falls below, the standard set forth in such compendium. Such determination as to strength, quality, or purity shall be made in accordance with the tests or methods of assay set forth in such compendium, or in the absence of or inadequacy of such tests or methods of assay, those prescribed under authority of the federal Act. No drug defined in an official compendium shall be deemed to be adulterated under this paragraph because it differs from the standard of strength, quality, or purity therefore set forth in such compen-

dium, if its difference in strength, quality, or purity from such standard is plainly stated on the label.

Amend paragraph VII of section 9 of Chaper 164 of the Revised Laws as inserted by section 5 of the bill by striking out all after the word "board" in the fourth line so that said paragraph as amended shall read as follows: VII. If it purports to be a drug the name of which is recognized in an official compendium, unless it is packaged and labeled as prescribed therein. Provided, that the method of packing may be modified with the consent of the board.

The report was accepted.

The question being on the amendment.

(Discussion Ensued)

Mr. Greene of Rollinsford spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Moore of Bradford for the Committee on Public Works to whom was referred House Bill No. 73, An Act relative to naming Colby College Highway. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of the bill by inserting after the word "Colby" the word, Junior, so that said title as amended shall read:

An Act relative to naming Colby Junior College Highway.

Amend section 1 by inserting after the word "Colby" in the first and fourth lines the word, Junior, so that said section as amended shall read as follows: 1. *Colby Junior College Highway.* The highway running from the junction of the William E. Chandler and the John Stark Highways, in the town of Bradford, to the junction of routes 114 and 11 in the town of New London shall be named and hereafter called the Colby Junior College Highway. The Commissioner of public works and highways shall cause suitable markers to be erected on said highway showing the name thereof.

The report was accepted.

The question being on the amendment.

(Discussion Ensued)

Mr. Lamson of New London spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Taken from the Table, Rule 48

House Bill No. 15, An Act relative to compensation of jurors. The question being on the amendment, as printed in Tuesday, February 3rd Journal on page 15.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate by its Clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled joint resolutions sent up from the House of Representatives:

House Joint Resolution No. 1, Joint Resolution in favor of Frank Sheridan.

House Joint Resolution No. 3, Joint Resolution in favor of Appleyard Motor Transportation Company, Inc.

Recess

After Recess

Report of Committee on Conference

The Committee on Conference to whom was referred Concurrent Resolution relative to the adoption of Joint Rules, and amendments thereto, having considered the same reports the same with the recommendation that the Senate recede from its position of adopting amendments thereto and the House recede from its position of non-concurrence and that the Senate and House adopt the Concurrent Resolution as follows:

Resolved, by the House of Representatives, the Senate concurring, that the Joint Rules of the 1951 Senate and House of Representatives be adopted as the Joint Rules of the 1953 Senate and House of Representatives with the following amendments:

Amend Rule 12 of the Joint Rules of the Senate and House of Representatives by striking out the word "Tuesday"

in the third and last lines and inserting in place thereof the word, Thursday; further amend by inserting in the third line after the word "session" the words, nor shall such matters be received in either branch of the legislature from State officers, departments or agencies unless they have been previously filed with the Secretary of State during the month of December, so that said rule as amended shall read as follows:

12. No bill, joint resolution, claim outstanding on the first day of the session, or petition relating to new business shall be received in either branch of the legislature after the third Thursday of the session, nor shall such matters be received in either branch of the legislature from state officers, departments or agencies unless they have been previously filed with the Secretary of State during the month of December, unless reported by the Committee on Rules; provided that this rule may be suspended in either House whenever two-thirds of the whole number of elected members shall, on division taken, vote in favor thereof, and not otherwise. A bill, joint resolution, claim or petition shall be considered as having been received within the meaning of this rule if it shall have been delivered to the Clerk of the House in which it is introduced on or before five o'clock in the afternoon of said third Thursday of the session.

As part of this report the Conference Committee recommends that the President of the Senate and the Speaker of the House appoint a suitable committee to further study the provisions of proposed Rule 13 in the original resolution.

HENRY G. WELLS,
EMILE J. SOUCY,
JAMES F. MALLEY,
Conferees on the part of the House

JAMES C. CLEVELAND,
FRED G. HAYES, JR.,
Conferees on the part of the Senate

The report was accepted.

The question being on agreeing to the report of the committee of conference.

On a *viva voce* vote the committee of conference report was agreed to.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were suspended, business in order at 3:00 o'clock in the afternoon was made in order at the present time, and that the third readings of bills be by title and joint resolutions by their captions only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

Third Readings

House Bill No. 15, An Act relative to compensation of jurors.

House Bill No. 16, An Act extending certain aeronautical appropriations.

House Bill No. 31, An Act relative to protection from adulterated and misbranded foods, drugs, devices and cosmetics.

House Bill No. 73, An Act relative to naming Colby College Highway.

House Bill No. 83, An Act relating to mortgages or deeds of trust.

House Joint Resolution No. 14, Joint resolution providing for an appropriation to reimburse the Governor's emergency fund.

House Joint Resolution No. 17, Joint resolution relative to claim of Footwear Center.

House Joint Resolution No. 19, Joint resolution in favor of Wilda C. Masse.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Maynard of Fitzwilliam at 12:45 o'clock the House adjourned.

TUESDAY, FEBRUARY 10, 1953

The House met according to adjournment.

Prayer was offered by Guest Chaplain, Rev. Millard Webster, Community Baptist Church, Sutton, N. H.

Almighty God, our heavenly Father, who hast created us and all things, we acknowledge our allegiance and responsiblity to Thee. We thank Thee for our blessings, and humbly ask for Divine guidance and wisdom today in the business of this General Court.

We are mindful of the priceless heritage of our way of life, entrusted to us by our fathers. We realize the great price by which our freedoms have been purchased. We know that with our great blessings and opportunities also have come great responsibilities. We pray that we may be faithful to our trust with a sincere and sensitive conscience.

May Thy Divine blessing and protection rest upon the President and Congress of our United States, upon our men and women in Korea, and upon our services everywhere on land, sea, and in the air. May our cause always be Thy righteous cause.

In our deliberations of Democracy, may we be people of strong convictions for right, generous and tolerant toward those with whom we differ, and exemplary in our demonstration of truth and justice. In the Spirit of Christ. *Amen.*

Leaves of Absence

Mr. Geisel of Manchester was granted leave of absence for the day on account of important business.

Mr. Walker of Hinsdale was granted leave of absence for the week on account of important business.

Mr. Hoyt of Laconia was granted leave of absence for the day on account of illness.

Mr. French of Weare was granted leave of absence for an indefinite period on account of illness.

Mrs. Boutain of Northumberland was granted leave of absence for the week on account of illness.

Introduction of a Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Danforth of Manchester, House Bill No. 229, An Act providing for the assessment and collection of a special head tax for state purposes. Referred to the Committee on Ways and Means.

Committee Reports

Miss Horner of Thornton for the Committee on Executive Departments and Administration to whom was referred House Bill No. 5, An Act relating to the state emergency fund.

Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following: 1. *Expenditures Authorized.* Amend section 44 of chapter 27 of the Revised Laws, as amended by section 2 of chapter 321 of the Laws of 1949, by striking out all after the word, "arise" in the sixth line and inserting in place thereof the following: in carrying on the essential functions of state government and in protecting the interests of the state which have been impaired by said emergency, so that said section as amended shall read as follows: 44. *Emergency Fund.* There shall be an emergency fund consisting of such sums as may be appropriated for that purpose by the general court, which may be expended by the governor, with the consent of the council, to aid any state department in any emergency which may arise in carrying on the essential functions of state government and in protecting the interests of the state which have been impaired by said emergency.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Miss Horner of Thornton for the Committee on Executive Departments and Administration to whom was referred House Bill No. 77, An Act providing for a charge for copies of the manual of the legislature. Having considered the same reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Payette of Portsmouth for the Committee on Municipal and County Government to whom was referred House Bill No. 92, An Act relating to the payment of taxes by nonresident contractors. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Williams of Grafton for the Committee on Municipal and County Government to whom was referred House Bill No. 103, An Act relating to the sale of artificial flowers and flags. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Dupont of Manchester for the Committee on Public Health to whom was referred House Bill No. 22, An Act relative to the board of registration of hairdressers and licenses for the practice of hairdressing. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 of the bill by striking out the words "one year" in the thirteenth line and inserting in place thereof the words, two years, so that said section as amended shall read as follows: 2. *Applicant for License.* Amend subparagraph (a) of paragraph I of section 11 of chapter 157, Revised Laws, as amended by section 3, chapter 39, Laws of 1947, by striking out the sixteenth to the twenty-first lines, so that said subparagraph as amended shall read as follows: (a) Hairdresser. Any person who is (1) at least sixteen years of age, (2) who is of good moral character and temperate habits, (3) who shall have had an education equivalent to the completion of the second grade in the public high schools of this state, (4) who has had training of at least fifteen hundred hours extending over a school term of at least one year in a school of cosmetology, approved by the board, (5) and who has passed the hairdresser's examination or any person who has complied with the requirements of (1), (2), (3) and (5) and (6) who has served at least two years in this state as an apprentice in a hairdresser's shop, or any person who has complied with the requirements of (1), (2), (3) and (5), and either (4) or (6) for a like period in a state whose requirements are substantially the same as in this state and in which hairdressers licensed in this state are given like recognition.

The report was accepted, the amendment adopted and the bill referred to the committee on Appropriations under the rules.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 6, An Act relative to the office of the legislative budget assistant.

House Bill No. 21, An Act relative to procedure in collecting from bonds on public works.

House Bill No. 25, An Act relative to the time for beginning construction on town highways with apportionment A funds.

House Bill No. 45, An Act naming a certain highway in Tamworth the Chinook Trail.

House Bill No. 53, An Act relative to selection of seats by members of the House of Representatives.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolutions:

Resolved, That a committee be appointed to consider the advisability and feasibility of adopting the Federal Social Security Plan for employees of the state and its political subdivisions. Said committee shall consist of five members, two from the Senate to be appointed by the President of the Senate and three from the House to be appointed by the Speaker, and shall report its findings to the present session of the Legislature not later than May first.

Deeply concerned over the recent disaster which has befallen the people of England, Belgium and the Netherlands together with the hardship, suffering, loss of life and property which it has entailed, the people of New Hampshire, through their Representation in General Court Assembled, hereby extend their heartfelt sympathy. Not unmindful of the immediate need of the necessities of life, we furthermore urge private citizens and humanitarian organizations of our state to send such supplies as are needed through whatever channels available, now therefore be it

Resolved, that a copy of these resolutions be forwarded by the Secretary of State to the accredited Representatives in England, Belgium and the Netherlands.

The message also announced that the Senate concurred with the House of Representatives in the passage of the follow-

ing entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 78, An Act relative to compilations of certificates of registration and licenses to operate motor vehicles.

Amend sub-section 10 of section 1 of the bill by inserting before the word "officers" in line 6 the words, law enforcement.

Further amend the bill by striking out in line 7 the words " of the state, or of any court thereof, or in any city or town therein" and substituting the words, in the state, so that said section as amended shall read as follows: 10. *Officials.* The commissioner may prepare and furnish without charge, copies of certificates of registration and of licenses to operate, and copies of other documents relating thereto, including compilations thereof, to law enforcement officers in the state; and may sell such compilations to others at such reasonable price as the commissioner may from time to time establish; and may issue certificate of registration for motor vehicles and licenses to operate the same to the President of the United States and members of his executive staff, and to any ambassador or member of the foreign diplomatic corps, or to the Maine-New Hampshire Interstate Bridge Authority, without payment of the fees therefor.

On motion of Mr. Whittier of Bethlehem the House voted to concur in the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time and that third readings of bills be by their titles only.

Third Readings

House Bill No. 5, An Act relating to the state emergency fund.

House Bill No. 92, An Act relating to the payment of taxes by non-resident contractors.

House Bill No. 103, An Act relating to the sale of artificial flowers and flags.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Payette of Portsmouth at 11:38 o'clock the House adjourned.

WEDNESDAY, FEBRUARY 11, 1953

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O Thou merciful and compassionate God, who art ever willing and ready to hear our prayers for Thy children whether they are near or far away; bless we pray Thee our soldiers and sailors, our airmen and nurses, and all enlisted in the service of our country; protect them from harm and if it be Thy gracious will bring them safely home. Remember the homes that have been saddened by the tragedies of this war in Korea. Redeem, we pray Thee, the pain of their bereavement, in some small measure, with the knowledge that their loss is the price of our freedom.

And still further, O merciful God, we would not forget the thousands made homeless and desolate in Europe by the great catastrophe that has befallen them. Comfort Thou the bereaved, give courage to the disheartened, and increase the spirit of generosity among the peoples of the world to come to the aid of these stricken nations. We ask it in the name of Jesus Christ. *Amen*

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that,

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bill and joint resolution sent up from the House of Representatives:

House Bill No. 64, An Act increasing certain fees for town clerks.

House Joint Resolution No. 29, Joint Resolution in favor of the estate of Leslie C. Hill.

The message also announced that,

The Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 169, An Act relative to granting school districts and cities temporary emergency exemption from the provisions of the municipal bond statute.

Amend section 4 of the bill by inserting after the word "person" in line 6 the words, having knowledge of educational and financial matters.

Further amend said section by adding after the word "representatives" the words, or the person appointed by the Governor,

Further amend said section by adding after the word "representatives" in line 9 the words, or the Governor,

Further amend said section by inserting in line 10 after the word "committees" the word, person,

So that said section, as amended, shall read as follows: 4. *Board of Investigation Designated.* There shall be a Board of Investigation composed as follows: A member of the Tax Commission, to be selected by said Commission, who shall serve as Chairman of the Board; the Commissioner of Education; the Chairman of the Judiciary Committee of the Senate; the Chairman of the Judiciary Committee of the House of Representatives and one other person having knowledge of educational and financial matters to be appointed by the Governor. In the absence, disability, or refusal of the Chairman of the Judiciary Committee of either the Senate or House of Representatives, or the person appointed by the Governor, to serve on said Board, the President of the Senate or the Speaker of the House of Representatives, or the Governor, as the case may be, shall designate some other member of said Committees or person to serve as a member of said Board. The board shall choose one of their number to serve as clerk. The non-state-salaried members of said board shall receive compensation for their services at the rate of ten dollars per diem and their reasonable expenses, and said compensation, together with the other expenses incurred by the board shall be paid by the school district or city whose proposals are to be examined. Said board shall make a complete stenographic record of its hearings.

Further amend the bill by striking out in section 6 the last sentence and substituting therefor the words, the findings of said board shall be by majority vote of all members, so that said section, as amended, shall read as follows: 6. *Findings of Board.* Said Board shall consider the educational needs and financial condition of the district or city. If it finds the proposal is in the best interest of and within the financial capacity of said district or city it shall certify its approval to the governor, but if it concludes the proposal is inexpedient it shall submit its disapproval forthwith in writing to the chairman of the school board and clerk of the district or the mayor of the city and chairman of the board of education of the city and thereupon the action of said school district or said city shall be null and void. The findings of said board shall be by majority vote of all members.

On motion of Mrs. Frizzell of Charlestown the House concurred in the adoption of the amendements sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

Introduction of Bills

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mrs. Brungot of Berlin, House Bill No. 230, An Act relating to Umbagog Lake open to all ice fishing. To the Committee on Fish and Game.

By Mr. Perkins of Concord, Ward 3, House Bill No 231, An Act relating to extended coverage in policies of liability insurance. To the Committee on Insurance.

By Mrs. Nutter of Epsom, House Bill No. 232, An Act relative to Short Falls Cemetery Association in the Town of Epsom. To the Committee on Executive Departments and Administration.

By Mr. Chapdelaine of Manchester, House Bill No. 233, An Act relative to the sale of alcoholic beverages. To the Committee on Liquor.

By Mr. Pelletier of Nashua, House Bill No. 234, An Act relative to charitable and educational donations by business corporations. To the Committee on Executive Departments and Administration.

By Mr. Nehring of New Durham, House Bill No. 235, An Act relative to reclassification of a road in New Durham. To the Committee on Public Works.

By Mr. Brown of Laconia, House Bill No. 236, An Act relative to the United Nations flag. To the Committee on Military and Veterans Affairs.

By Mr. Locke of Dover, House Bill No. 237, An Act relative to guardians of mentally incompetent persons. To the Committee on Judiciary.

By Mr. Locke of Dover, House Bill No. 238, An Act relative to trustees of estates. To the Committee on Judiciary.

By Mr. Locke of Dover, House Bill No. 239, An Act relative to sale of investmens by guardians of minors. To the Committee on Judiciary.

By Mr. Converse of Claremont, House Bill No. 240, An Act relative to the extension of the trapping season in Sullivan county. To the Committee on Fish and Game.

By Mr. Converse of Claremont, House Bill No. 241, An Act relative to allowing trappers use of woods during woods ban. To the Committee on Fish and Game.

By Mr. Diffenderfer of Ossipee, House Bill No. 242, An Act relative to modification of the mileage table for legislators. To the Committee on Executive Departments and Administration.

By Mrs. Payette of Portsmouth, House Bill No. 243, An Act relative to unemployment compensation, jurors. To the Committee on Judiciary.

By Mrs. Richards of Exeter, House Bill No. 244, An Act relative to town records, personal property mortgages. To the Committee on Executive Department and Administration.

By Mr. Saidel of Manchester, House Bill No. 245, An Act relating to deceased persons' statements. To the Committee on Judiciary.

By Mr. Saidel of Manchester, House Bill No. 246, An Act authorizing lump sum settlements and awards under the workmen's compensation law. To the Committee on Labor

By Mr. Saidel of Manchester, House Bill No. 247, An Act relating to damages for wrongful death. To the Committee on Judiciary.

By Mr. Mulaire of Hooksett, House Bill No. 248, An Act authorizing the Hooksett School district to issue bonds. To the Committee on Municipal and County Government.

By Mr. Wells of Newton, House Bill No. 249, An Act relating to business corporations. To the Committee on Judiciary.

By Miss Spollett of Hampstead, House Bill No. 250, An act relative to the license fees of milk distributors. To the Committee on Agriculture.

By Mr. Martel of Manchester, House Bill No. 251, An Act relative to building construction, demolition and repair work. To the Committee on Labor.

By Mr. Martel of Manchester, House Bill No. 252, An act establishing a domestic relations court within the framework of the superior court. To the Committee on Judiciary.

By Mr. Martel of Manchester, House Bill No. 253, An Act relative to divorce decrees. To the Committee on Judiciary.

By Mr. Martel of Manchester, House Bill No. 254, An Act relative to reconciliation proceedings before divorce. To the Committee on Judiciary.

By Miss Spollett of Hampstead, House Bill No. 255, An Act relative to the disease of domestic animals. To the Committee on Agriculture.

By Mr. Ferguson of Pittsfield, House Bill No. 256, An act relating to the municipal budget law. To the Committee on Judiciary.

By Mr. Brown of Loudon, House Bill No. 257, An Act relating to dogs pursuing game. To the Committee on Fish and Game.

By Mr. Ferguson of Pittsfield, House Bill No. 258, An Act relative to the certification of payroll manifests by the director of personnel. To the Committee on Executive Departments and Administration.

By Mr. Washburn of Bartlett, House Bill No. 259, An Act relating to violations of the fish and game laws by juveniles. To the Committee on Executive Departments and Administration.

By Mr. Perkins of Concord, Ward 3, House Bill No. 260, An Act relative to slot machines. To the Committee on Executive Departments and Administration.

By Mr. Kershaw of Swanzey, House Bill No. 261, An Act relative to compensation of acting judges of probate. To the Committee on Judiciary.

By Mrs. Funkhouser, House Bill No. 262, An Act authorizing an interstate compact relating to flood control of the Merrimack River. To the Committee on Resources, Recreation and Development.

By Mr. Gale of Jackson, House Bill No. 263, An Act relative to registration of farm trucks. To the Committee on Transportation.

By Mr. Pillsbury, of Manchester, House Joint Resolution No. 30, Joint Resolution in favor of Reta May Mills. To the Committee on Appropriations.

Printing Dispensed With

On motion of Mr. Pillsbury of Manchester the rules of the House were so far suspended as to dispense with the printing of House Joint Resolution No. 30.

By Mr. Payeur of Pembroke, House Joint Resolution No. 31, Joint Resolution in favor of Normand Pelletier. To the Committee on Appropriations.

Printing Dispensed With

On motion of Mr. Pillsbury of Manchester the rules of the House were so far suspended as to dispense with the printing of House Joint Resolution No. 31, and House Bill No. 232.

Order Vacated

On motion of Mr. Ferguson of Pittsfield the order whereby House Bill No. 256, An Act relating to the municipal budget law, was referred to the Committee on Judiciary was vacated and the bill was referred to the Committee on Municipal and County Government.

Report of Committee on Engrossed Bills

Mr. Hyde of Andover for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled bills:

House Bill No. 27, An Act relative to change in classification of highway in Rindge.

House Bill No. 9, An Act relative to compensation of legislative employees.

House Bill No. 8, An Act relative to the legislative council.

The report was accepted.

Committee Reports

Miss Horner of Thornton for the Committee on Executive Departments and Administration to whom was referred House Bill No. 52, An Act relative to reinstatement of permanent firemen to retirement benefits. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out in the twenty-second and twenty-third lines the words and figure "provided he is under 50 years of age" so that said section as amended shall read as follows:

1. *Firement's Retirement Benefits.* Amend section 18, chapter 220, Revised Laws, as amended by section 6, chapter 220, Laws of 1945, by striking out said section and inserting in place thereof the following: 18. *Resignation, Dismissal, Reinstatement and Withdrawal.* Any permanent fireman accepting the provisions hereof, who shall retire, withdraw or be dismissed from service, and the named beneficiary of any such permanent fireman who may die while in active service from causes not due to fire duty as described in section 16, shall be entitled to receive from the board all payments made thereto by him with interest at such rate as the board may prescribe. The named beneficiary of any retired permanent fireman who may die while in retirement, and whose retirement benefits to the time of death should be less than his total payments, plus interest, to the board, shall be entitled to receive from the board an amount which shall be the difference, if such exists, between such fireman's total payments, plus interest, to the board and his total benefits receive while on retirement to the time of his death. Upon retirement or dismissal from service a permanent fireman shall no longer be obligated to pay assessments to the fund. Any permanent fireman resigned or dismissed from service as aforesaid, may, if he thereafter re-enters services as a permanent fireman, be reinstated to the benefits hereof. Upon reinstatement to the benefits hereof his rate of assessment shall be established by

the Board as provided under section 9 and his term of creditable service shall begin as of the nearest date of his reinstatement to the benefits hereof, excepting that a reinstated member may receive credit for prior service if he leaves his assessments in the fund and provided he is reinstated within 36 months after his resignation or dismissal. Prior service credit shall be only for his period of actual active service. His rate of assessment upon reinstatement shall be as provided under section 9. Notice of dismissal or death, not due to fire duty as described in section 16, of a permanent fireman who has accepted the provisions of this chapter, shall be sent to the board by the chief clerk or other responsible officer of city, town or precinct by whom said fireman was employed.

The report was accepted.

Reading of the amendment having commenced, on motion of Mr. Rainie of Concord further reading was dispensed with.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Miss Horner of Thornton for the Committee on Executive Departments and Administration to whom was referred House Bill No. 88, An Act changing the title of the trustee who keeps the books for trustees of trust funds. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Miss Horner of Thornton for the Committee on Executive Departments and Administration to whom was referred House Bill No. 80, An Act relative to age limitation for police commissioners. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Jordan of Plainfield for the Committee on Municipal and County Government to whom was referred House Bill No. 115, An Act legalizing the biennial election in the town of Plainfield. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the word "ninth" in the second line and inserting in place thereof the word, fourth, so that said section as amended shall read as follows:

1. *Proceedings Legalized.* The votes and proceedings at the biennial election in the town of Plainfield on the fourth day of November, 1952, are hereby legalized, ratified and confirmed.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Morey of Hart's Location for the Committee on Public Works to whom was referred House Bill No. 102, An Act relative to change in classification of highway in Haverhill and Piermont. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Spaulding of Hudson for the Committee on Public Works to whom was referred House Bill No. 123, An Act relative to change in classification of a highway in Orange. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time and that third readings of bills be by their titles only.

Third Readings

House Bill No. 52, An Act relative to reinstatement of permanent firemen to retirement benefits.

House Bill No. 88, An Act changing the title of the trustee who keeps the books for trustees of trust funds.

House Bill No. 115, An Act legalizing the biennial election in the town of Plainfield.

House Bill No. 123, An Act relative to change in classification of a highway in Orange.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Wastcoat of Candia at 11:50 o'clock the House adjourned.

THURSDAY, FEBRUARY 12, 1953

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Rev. Floyd G. Kinsley, First Church, Congregational, Rochester.

God of our Fathers, known of old, we give Thee praise for the heritage which is ours this day because of the toil, devotion, and consecration of those who have labored before us. O Thou who art deeper than the sea, stronger than the foolishness of man, and mightier than all things else; keep us mindful that without Thee we are nothing, and that unless all our doings and deliberations are begun, continued and ended in Thee, they shall come to naught. Take not from us the vision of a Christian state, nation, and world; and grant us devotion and tireless service to the end of our days to bring that end more and more into actual fact. May we count our lives sacred in this service and full of gain if only we can contribute something by teaching, by moral power, and by the power of Christian faith, toward the forces that shall make perpetual a state, nation, and world in which Thou canst take delight. And this we pray in the name of Christ. *Amen*

Leaves of Absence

Mr. Metcalf of Tilton and Mesdames Landers of Keene and Frizzell of Charlestown were granted leave of absence for the day on account of important business.

Mr. Horne of Milton was granted leave of absence for the day on account of illness.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Miss Spollett of Hampstead, House Bill No. 264, An Act to prevent the feeding of untreated garbage to swine. To the Joint Committee on Public Health and Agriculture.

By Mrs. Goodwin of Hollis, House Bill No. 265, An Act relative to eligibility for public assistance. To the Committee on Executive Departments and Administration.

By Mrs. Goodwin of Hollis, House Bill No. 266, An Act relative to the surrender of illegitimate children. To the Committee on Executive Departments and Administration.

By Mrs. Goodwin of Hollis, House Bill No. 267, An Act relative to the support of children in divorce cases. To the Committee on Judiciary.

By Mrs. Goodwin of Hollis, House Bill No. 268, An Act relative to neglected and delinquent children. To the Committee on Judiciary.

By Mr. Colburn of Nashua, House Bill No. 269, An Act eliminating separate primary ballots for each political party. To the Committee on Judiciary.

Committee Reports

Mr. Pillsbury of Manchester for the Committee on Appropriations to whom was referred House Bill No. 42, An Act relative to the construction, reconstruction and betterment of Class I, II, IV and V highways. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Pillsbury of Manchester for the Committee on Appropriations to whom was referred House Joint Resolution No. 7, Joint Resolution providing for memorials for John Stark. Having considered the same, reported the same with the following amendment, and the recommendation that the Joint Resolution as amended ought to pass.

Amend the joint resolution by striking out all after the resolving clause and inserting in place thereof the following: That the sum of one thousand dollars is hereby appropriated toward securing two statues of John Stark and having the same erected on the battlefields of Bunker Hill and Bennington. The governor shall appoint a committee of six consisting of three from the Senate and three from the House to confer with the N. H. Society Sons of the American Revolution, the N. H. Daughters of the American Revolution, the Society of Colonial Wars and the Colonial Dames for the purpose of having them

secure by private subscription whatever additional funds may be necessary for said project. Said committee shall serve without compensation. The governor is hereby authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated, provided, however, that this appropriation shall be contingent upon sufficient funds being raised by the above named organizations and that the said memorials are satisfactory to the Governor and Council and said organizations.

The report ws accepted, the amendment adopted and the joint resolution ordered to a third reading.

Mrs. Brungot of Berlin for the Committee on Judiciary to whom was referred House Bill No. 116, An Act relating to the change of name of the Berlin Building and Loan Association. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Holmes of Amherst for the Committee on Judiciary to whom was referred House Bill No. 100, An Act relative to trustees of Brewster Free Academy. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Perkins of Concord, Ward 3 for the Committee on Judiciary to whom was referred House Bill No. 1, An Act relating to bribery and intimidation in elections. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words "or attempt to hire, procure, induce or in any way influence" in lines nine and ten, so that said section as amended shall read as follows:

1. *Elections.* Amend section 11 of chapter 41 of the Revised Laws by striking out the same and inserting in place thereof the following: 11. *Bribery; Intimidation.* No person, by payment of any money or thing of value, or by any promise or offer of emolument, or by reward or offer of reward in any form, or by loan of money or any other thing, or by threats

or intimidation, shall directly or indirectly hire, procure, induce or in any way influence, or attempt to hire, procure, induce or in any way influence in any such manner, any voter to stay away from any town meeting, primary or election, or to avoid voting therein, or to vote therein for or against any particular ticket, candidate or any question to be voted on; nor shall any person ask, in order to disqualify himself from voting, the abatement of his taxes, or to be excused from the payment of taxes. Any person violating any provision of this section shall be fined not more than five hundred dollars, or be imprisoned not more than three months.

Amend section 2 of said bill by striking out the same.

Further amend said bill by renumbering section 3 to read section 2.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Perkins of Alton for the Committee on Public Works to whom was referred Concurrent Resolution, A Concurrent Resolution relative to the federal government retiring from the field of motor fuel taxation. Having considered the same, reported the same with the recommendation that the Concurrent Resolution ought to pass.

The report was accepted.

On a *viva voce* vote the concurrent resolution was adopted, and was sent to the Senate for concurrence.

Mr. Adams of Lebanon and Mrs. Mahoney of Concord for the Joint Committee consisting of the Committee on Publice Works and the delegation from the City of Concord to whom was referred House Bill No. 124, An Act relative to naming Frederic E. Everett Highway. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out all of same and inserting in place thereof the following:

1. *Frederic E. Everett Highway.* The highway running from the junction of the Daniel Webster Highway at Manchester Street in the city of Concord, to the junction of the Daniel Webster Highway at North Main and Bouton Street, now known as the Concord By-Pass and any future expressway extension thereof between the Massachusetts state line at

Nashua and Franklin shall be named and hereafter called the Frederic E. Everett Highway. The commissioner of public works and highways shall forthwith cause suitable markers to be erected on such portion of said highway as is now constructed showing the name thereof; and further, shall cause suitable markers to be erected on any future expressway extensions of said highway.

The report was accepted and the bill with amendment pending was laid upon the table to be printed under rule 48.

Mr. Hart of Laconia for the Committee on Resources, Recreation and Development to whom was referred House Bill No. 43, An Act changing the name of Cherry Mountain to Mount Eisenhower. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

(Discussion Ensued)

Messrs. Geisel of Manchester, Spaulding of Hudson, and English of Hancock spoke in favor of the question.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. English of Hancock for the Committee on Resources, Recreation and Development to whom was referred House Bill No. 94, An Act providing for the classification of Ashuelot river and its tributaries. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Wheeler of Keene for the Committee on Resources, Recreation and Development to whom was referred House Bill No. 97, An Act providing for the classification of Cold river and its tributaries. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that,

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 62, An Act relative to Durham Historic Association.

The message also announced that,

The Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 12, An Act relative to time polls open and close.

Senate Bill Read and Referred

Senate Bill No. 12, An Act relative to time polls open and close.

Read a first and second time and referred to the Committee on Judiciary.

Attache Assignments

The Speaker announced the following assignments of Attachees:

Warden of the coat room, Oney Russell of Claremont vice John W. Todd of Goffstown.

Division Page, John W. Todd of Goffstown vice Jos. Means of Milan.

Clerk's Messenger, Joseph Means of Milan.

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their title, and joint resolutions by their captions only, and that when the House adjourns today it be in honor of, and in memory of, that great man, that great American, that great President, Abraham Lincoln, and that the House meet Tuesday morning at 11 o'clock.

Third Readings

House Bill No. 1, An Act relating to bribery and intimidation in elections.

House Bill No. 42, An Act relative to the construction, reconstruction and betterment of Class I, II, IV and V highways.

House Bill No. 94, An Act providing for the classification of Ashuelot river and its tributaries.

House Bill No. 97, An Act providing for the classification of Cold river and its tributaries.

House Bill No. 100, An Act relative to trustees of Brewster Free Academy.

House Bill No. 116, An Act relating to the change of name of the Berlin Building and Loan Association.

House Joint Resolution No. 7, Joint resolution providing for memorials for John Stark.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Noyes of Salem at 11:36 o'clock the House adjourned.

TUESDAY, FEBRUARY 17, 1953

The House met according to adjournment.

Prayer was offered by Guest Chaplain, Rev. Harland G. Lewis, the Church of Christ at Dartmouth College, Hanover.

This morning thy light has moved over the face of our state, O Father, revealing the snow-filled meadows, the shining hills, the little towns and busy cities whence we have come. Grant us hearts full of gratitude for this good land which is our heritage. Wilt thou find us to be a people mindful of thy favor and glad to do thy will.

May we so consider our responsibilities that we need at no later time be ashamed, and grant us so to fulfill our trust that we each in the secret places of our own hearts may know that we have been worthy of the freedom earned for us and given into our hands to keep radiant and strong.

We pray for thy common people, mothers and fathers and children, in whose name and for whose sakes we are here met; *Amen.*

Leaves of Absence

Messrs. Horne of Milton, and Lang of Troy were granted leave of absence for the week on account of illness.

Mr. Chase of Dover was granted leave of absence for the week on account of important business.

Mr. Reid of Litchfield was granted leave of absence for the day on account of illness.

Mr. Zoffoli of Portsmouth was granted leave of absence for Tuesday and Wednesday on account of important business.

Mr. Dixon of Lyme was granted leave of absence for an indefinite period on account of illness.

Mr. Mafera of Raymond was granted leave of absence for the day on account of important business.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Griffin of Lincoln, House Bill No. 270, An Act to provide for the appointment of an attorney by the Public Utilities Commission. To the Committee on Judiciary.

By Mr. Spaulding of Hudson, House Bill No. 271, An Act relating to the expense of educating in the public schools children who are state wards. To the Committee on Education.

By Mr. Saidel of Manchester, House Bill No. 272, An Act relative to increase in exemption of attachable property. To the Committee on Judiciary.

By Mrs. Fontaine of Berlin, House Bill No. 273, An Act to provide for the installation of windshields, tops, and head and rear lights on track motor cars operated by railroads. To the Joint Committees on Transportation and Labor.

By Mr. Cain of Manchester, House Bill No. 274, An Act relative to burial of indigent persons. To the Committee on Public Welfare and State Institutions.

By Mr. Saidel of Manchester, House Bill No. 275, An Act providing for a voir dire examination of jurors by attorneys in criminal and civil cases. To the Committee on Judiciary.

By Mr. Anderson of Warren, House Bill No. 276, An Act relative to providing for one open season for taking deer for the entire state. To the Committee on Fish and Game.

By Mr. Locke of Dover, House Bill No. 277, An Act to further regulate the taking of oysters. To the Committee on Fish and Game.

By Mr. Locke of Dover, House Bill No. 278, An Act relative to the restoration of the clam fisheries in New Hampshire. To the Committee on Fish and Game.

By Mr. Matthews of New Hampton, House Bill No. 279, An Act relative to the care, treatment and rehabilitation of sexual psychopaths. To the Committee on Judiciary.

By Mr. Locke of Dover, House Bill No. 280, An Act to provide a bounty for the taking of green crabs. To the Committee on Fish and Game.

By Mr. Merrill of Hampton, House Bill No. 281, An Act relative to the construction of sea walls on state owned land in the town of Hampton. To the Joint Committees on Public Works and Resources, Recreation and Development.

By Mr. Saidel of Manchester, House Bill No. 282, An Act relating to the homestead right. To the Committee on Judiciary.

By Mr. Geisel of Manchester, House Bill No. 283, An Act to provide for the purchase of food supplies by the director of purchase and property without competitive bids. To the Committee on Executive Departments and Administration.

By Mr. Saidel of Manchester, House Bill No. 284, An Act relative to workmen's compensation. To the Committee on Labor.

By Mr. Flanagan of Dover, House Bill No. 285, An Act relative to labor disputes and unemployment compensation. To the Committee on Labor.

By Mr. Saidel of Manchester, House Bill No. 286, An Act relative to fees for performing a solemnization of marriage. To the Committee on Executive Departments and Administration.

By Mr. Saidel of Manchester, House Bill No. 287, An Ac relative to exemption from trustee process. To the Committee on Judiciary.

By Mr. Janelle of Nashua, House Bill No. 288, An Act relative to salaries of certain officials of the city of Nashua. To the Delegation from the City of Nashua.

By Mrs. Cooper of Nashua, House Bill No. 289, An Act relating to common trust funds and to make uniform the law with reference thereto. To the Committee on Judiciary.

By Mr. Waling of Keene, House Bill No. 290, An Act relative to the rights of physicians and surgeons to practice medicine in publicly owned hospitals and hospitals soliciting or accepting public donations. To the Committee on Executive Departments and Administration.

Report of Committee on Engrossed Bills

Mrs. Corliss of Manchester for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Bills and Joint Resolutions:

House Bill No. 21, An Act relative to procedure in collecting from bonds on public works.

House Bill No. 25, An Act relative to the time for beginning construction on town highways with apportionment A funds.

House Bill No. 45, An Act naming a certain highway in Tamworth The Chinook Trail.

House Bill No. 53, An Act relative to selection of seats by members of the house of representatives.

House Bill No. 64, An Act increasing certain fees for town clerks.

House Joint Resolution No. 1, Joint Resolution in favor of Frank Sheridan.

House Joint Resolution No. 3, Joint Resolution in favor of Appleyard Motor Transportation Company, Inc.

House Joint Resolution No. 29, Joint Resolution in favor of the estate of Leslie C. Hill.

House Bill No. 169, An Act relative to granting school districts and cities temporary emergency exemption from the provisions of the municipal bond statute.

The report was accepted.

Committee Reports

Mr. Hepworth of Derry for the Committee on Executive Departments and Administration to whom was referred House Bill No. 109, An Act to provide for the allowance of a discount upon the prompt payment of legacy and succession taxes. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Bennett of Keene for the Committee on Executive Departments and Administration to whom was referred House Bill No. 126, An Act to authorize the Londonderry School District to exceed its limits of bonded indebtedness. Having

considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Payette of Portsmouth for the Committee on Municipal and County Government to whom was referred House Bill No. 44, An Act relative to retirement of bonds for Class IV and Class V highways. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1. *Aid for Town Highways.* Amend section 2, part 13, chapter 90 of the Revised Laws, as inserted by chapter 83, Laws of 1951, by inserting after the word "date" in the twelfth line of the words: Any city or town issuing bonds or long term notes to accelerate the improvement of its Class IV and Class V highways may apply any part of the funds herein apportioned, for a period not to exceed five years or with the approval of the commissioner for a period not to exceed ten years, to aid in the retirement of such bonds or notes, so that said section as amended shall read as follows: 2. *Apportionment.* All funds available to cities, towns or unincorporated places pursuant to the provisions hereof shall be allotted by the commissioner of public works and highways upon the following basis: (a) Apportionment A. The commissioner shall apportion, on the basis of a sum of not less than nine hundred thousand dollars, to each city, town and unincorporated place, an amount based on the proportion which the mileage of the regularly maintained Class IV and Class V highways in that city, town or unincorporated place, as of January 1st of the previous year, bears to the total mileage of the regularly maintained Class IV and Class V highways in the state as of that date. Any city or town issuing bonds or long term notes to accelerate the improvement of its Class IV and Class V highways may apply any part of the funds herein apportioned, for a period not to exceed five years or with the approval of the commissioner for a period not to exceed ten years, to aid in the retirement of such bonds or notes (b) Apportionment B. The commissioner shall apportion to each city and town of twenty-five hundred inhabitants and over, one thousand dollars

per mile for the mileage of Class IV highways which are urban extensions of Class I and Class II highways. If the projects submitted are eligible for federal assistance, this apportionment must be used to match any federal funds which may be available to the applicant city or town. Any city or town issuing bonds to accelerate the improvement of arterial routes within its compact area may apply any part of the funds herein apportioned, for a period not to exceed ten years, to aid in the retirement of such bonds; (c) Apportionment C. The commissioner shall apportion to eligible cities or towns the amount of federal funds which are available for their use.

The report was accepted.

The question being on the amendment.

(Discussion Ensued)

Mr. Smith of Meredith spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Cilley of Concord for the Committee on Municipal and County Government to whom was referred House Bill No. 112, An Act relative to powers and duties of town manager. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Nawn of Concord for the Committee consisting of the Delegation from the city of Concord to whom was referred House Bill No. 71, An Act relative to exemption from taxation of certain property of the Concord Police Benevolent Association. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out in the first line the words "and personal" so that said section as amended shall read as follows:

1. *Tax Exemption.* All the real property of the Concord Police Benevolent Association located in the city of Concord and used in connection with the Addison Boys Club shall be exempt from taxation so long as said property is used as at present as a public charity for boys.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that,

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 73, An Act relative to naming Colby Junior College Highway.

Resolutions

Mr. Kearns of Manchester offered the following resolution:

Be it Resolved that when the house adjourns today it be in honor of the birthdays of Mr. Peaver of Salem and Mr. Casey of Manchester.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time and that third readings of bills be by their titles only.

Third Readings

House Bill No. 44, An Act relative to retirement of bonds for Class IV and Class V highways.

House Bill No. 71, An Act relative to exemption from taxation of certain property of the Concord Police Benevolent Association.

House Bill No. 109, An Act to provide for the allowance of a discount upon the prompt payment of legacy and succession taxes.

House Bill No. 112, An Act relative to powers and duties of town manager.

House Bill No. 126, An Act to authorize the Londonderry School District to exceed its limits of bonded indebtedness.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Sadler of Portsmouth at 11:37 o'clock the House adjourned.

WEDNESDAY, February 18, 1953

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, William A. Binkley, Minister, Northwood Baptist Church, Northwood.

Let us pray.

Eternal God, who daily dost renew thy world and refresh the spirits of thy people, let the light of thy presence come upon us as the dawn, and thy favor as the warmth of noonday. So touch our mortal vision with thy glory, that the commonplace aspect of everyday tasks and responsibilities may assume a divine and an eternal significance.

Deliver us, our Father, from compromise and mediocrity. May worthy motives be matched in the pattern of our living with uprightness of conduct. Constantly remind us, as we seek to preserve and perfect our liberty, and make available to all its blessings, that fundamentally there is but one freedom — the freedom to do right, all else being slavery.

Thus grant that this day, begun in worship, and continued in the fellowship of honest endeavor, be crowned with fruitful achievement. O send out thy light and thy truth; let them lead us: let them bring us unto thy holy hill, and to thy tabernacles.

In Jesus' name we pray. *Amen.*

Leaves of Absence

Messrs. Robertson of Gilmanton, and Fernald of Rochester were granted leave of absence for the day on account of important business.

Mr. Walker of Hinsdale was granted leave of absence for Wednesday and Thursday on account of important business.

Introduction of Bills

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Bouchard of Berlin, House Bill No. 291, An Act providing for a bounty on fox. To the Committee on Fish and Game.

By Mr. Hilliard of Pittsburg, House Bill No. 292, An Act relative to division of the state for taking wild deer. To the Committee on Fish and Game.

By Mr. Yeaton of Portsmouth, Ward 2, House Bill No. 293, An Act relative to the North Church in Portsmouth. To the Delegation from the City of Portsmouth.

By Mr. Yeaton of Portsmouth, House Bill No. 294, An Act relative to the first or north parish in Portsmouth. To the Delegation from the City of Portsmouth.

By Mr. Bouchard of Berlin, House Bill No. 295, An Act prohibiting the fish and Game department from stocking private ponds with fish. To the Committee on Fish and Game.

By Mr. Faulkner of Keene, House Bill No. 296, An Act repealing provisions for the issuance of search warrants. To the Committee on Judiciary.

By Mr. Leonard of Franklin, House Bill No. 297, An Act relative to a publicly elected official receiving compensation for employment from a city department. To the Committee on Municipal and County Government.

By Mrs. Holmes of Amherst, House Bill No. 298, An Act relative to bounties on porcupines. To the Committee on Fish and Game.

By Mr. Bouchard of Berlin, House Bill No. 299, An Act increasing the bounty on bear. To the Committee on Fish and Game.

By Mr. Jones of Lebanon, House Bill No. 300, An Act relating to precincts and village districts having water systems. To the Committee on Municipal and County Government.

By Mr. Barney of Rumney, House Joint Resolution No. 32, Joint Resolution providing an appropriation for repairs of dams. To the Committee on Appropriations.

By Mr. Kershaw of Swanzey, House Joint Resolution No. 33, Joint Resolution in favor of Dr. Goldman. To the Committee on Appropriation.

Printing Dispensed With

On motion of Mr. Pillsbury of Manchester the rules of the House were so far suspended as to dispense with the printing of House Joint Resolution No. 33.

Report of Committee on Engrossed Bills

Mrs. Mahoney of Concord for the committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled bills:

House Bill No. 6, An Act relative to the office of the legislative budget assistant.

House Bill No. 62, An Act relative to the Durham Historic Association.

House Bill No. 73, An Act relative to naming Colby Junior College Highway.

House Bill No. 78, An Act relative to compilations of certificates of registration and licenses to operate motor vehicles.

The report was accepted.

Committee Reports

Mr. Vaughan of Newport for the Committee on Education to whom was referred Joint Resolution No. 13, a Joint Resolution providing for a committee to investigate the educational system of the state. Having considered the same, reported the same with the following Resolution:

Resolved, That it is inexpedient to legislate. Subject matter covered by existing legislation.

The report was accepted and the resolution of the committee adopted.

Mr. Robinson of Gorham for the Committee on Education to whom was referred House Bill No. 32, An Act relating to students attending educational institutions under reciprocal agreements. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 by striking out the words "University of" in the ninth line and inserting in place thereof the words, any institution of public education in, so that said section as amended shall read as follows: 2. *Payments from funds.* The amount that may be or may become due to any college, university, or institution shall be payable by the state treasurer to such institution from the fund hereby created, upon certification by the board of trustees of the university of New Hampshire. Said board, before approving such vouchers, shall satisfy itself that such student would be unable to receive the course of instruction at any institution of public education in New

Hampshire, and shall satisfy itself that the charge made by said institution is in accordance with the terms and conditions of the reciprocal agreement in effect between university of New Hampshire and the charging institution.

The report was accepted, the amendment adopted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Vaughan of Newport for the Committee on Education to whom was referred House Bill No. 33, An Act relative to nonresident students at university of New Hampshire. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Hayes of Northumberland for the Committee on Education to whom was referred House Bill No. 38, An Act enlarging the powers and duties of the trustees of the state college and university. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 59, An Act relative to shooting human beings while hunting. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out said section and inserting in place thereof the following:

1. *Hunting.* Amend section 35, chapter 241, Revised Laws, as amended by chapter 63, Laws of 1945, and section 1, chapter 233, Laws of 1949 by striking out said section and inserting in place thereof the following: 35. *Shooting Human Beings.* Any person, while on a hunting trip, or in pursuit of wild animals or wild birds, or in the field, who negligently or carelessly shoots and wounds, or kills any human being, shall be fined not more than five hundred dollars or imprisoned not more than twelve months, or both, and in addition thereto his license shall be revoked and he shall not be granted a license to hunt for a period of ten years. After ten years from the date

of revocation his license to hunt may be restored at the discretion of the director and the commission. Persons convicted of negligently and carelessly shooting and wounding a human being while hunting in another state shall not be issued a license to hunt in this state.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 113, An Act relating to raccoon. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 194, An Act relative to the bag limit for taking raccoons. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Brown of Loudon offered the following amendment:

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Bag Limit.* Amend section 3 of the chapter 244 of the Revised Laws, as amended by chapter 116, Laws of 1947, by striking out said section and inserting in place thereof the following: *Raccoons.* Raccoons may be taken and possessed with the aid of and by the use of a dog and gun from October first to December first. No person hunting alone shall take more than three raccoons from twelve noon of one day to twelve noon of the following day; no group of persons hunting together shall take more than five raccoons from twelve noon of one day to twelve noon of the following day; and no person shall take more than fifteen raccoons in one season. No person shall hunt racoons at night by the use of a rifle, revolver, or pistol larger than twenty-two calibre long rifle or by the use of shotgun shells carrying shot larger than number four or by the use of a light other than a kerosene lantern exclusive of the pressure type or a flashlight with more than

seven cells. No person shall take or attempt to take raccoons by use of a light from a motor vehicle.

The question being on the amendment.

(Discussion Ensued)

Mr. Brown of Loudon spoke in favor of the amendment.

Messrs. Washburn of Bartlett, Comi of Concord, and Blake of Swanzey spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

The question being. Shall the bill be read a third time.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Brungot of Berlin for the Committee on Judiciary to whom was referred House Bill No. 125, An Act to incorporate the Berlin Mills Railway, Inc. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 5 of said bill by striking out the words "and all powers granted to this corporation are hereby vested in the Board of Directors," so that said section as amended shall read as follows:

5. *Board of Directors.* The board of directors shall consist of seven persons, who shall be elected annually by the stockholders. A majority of the directors shall be residents of New Hampshire.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Faulkner of Keene for the Committee on Judiciary to whom was referred House Bill No. 148, An Act relating to the appointment of child placing agencies as guardians. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill orderd to a third reading.

Mr. Saidel of Manchester for the Committee on Judiciary to whom was referred House Bill No. 149, An Act relating to petitions for adoption of minors. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Beamis of Somersworth for the Committee on Judiciary to whom was referred House Bill No. 150, An Act relating to adoption of illegitimate children. Having considered the same, reported the same with the recommendation that the bill ought to pass. The report was accepted and the bill ordered to a third reading.

Mr. Durkee of Seabrook for the Committee on Municipal and County Government to whom was referred House Bill No. 67, An Act relating to reimbursement for support of county and town paupers. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Kimball of Moultonborough for the Committee on Municipal and County Government to whom was referred House Bill No. 86, An Act relative to procedure to be followed when there is a vacancy in the office of tax collector. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Willey of Campton for the Committee on Municipal and County Government to whom was referred House Bill No. 87, An Act relative to taxation of property held by a town or district in another town or district for water supply or flood control purposes. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 1 and inserting in place the following:

1. *Property Liable for Taxation.* Amend section 12 of the Revised Laws by striking out said section and inserting in place thereof the following: 12. *Water Works; Flood Control.* Property held by a city, town or district in another city or town for the purpose of a water supply or flood control,

if yielding no rent, shall not be liable to taxation therein, but the city, town or district so holding it shall annually pay to the city or town in which such property lies an amount equal to that which such place would receive for taxes upon the average of the assessed value of such land, without buildings or other structures, for the three years last preceding legal process to acquire the same, or other acquisition thereof, the valuation for each year being reduced by all abatements thereon; but any part of such land or buildings from which any revenue in the nature of rent is received shall be subject to taxation; such payments shall be paid to the collector of taxes of the town or city in which such property lies upon notification from him, and such payment shall be made on or before December first in each year; provided, however, that after such acquisition the valuation thus established shall be reviewed by the tax commission at least once in every five years, and be raised, or lowered, as the case may be, to make such value proportional with the assessed value of other property in the town which is subject to taxation, so that such payment will not exceed its proportion of the public charge in each year. Any city, town or district aggrieved by a decision of the tax commission, upon a review of the valuation herein provided for, shall have the same right of appeal therefrom as a taxpayer has from a re-assessment made by the tax commission.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Pappagianis of Nashua for the Committee on Municipal and County Government to whom was referred House Bill No. 141, An Act relating to incompatibility of town offices. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committe adopted.

Mr. Moore of Bradford for the Committee on Public Works to whom was referred House Bill No. 179, An Act relative to maintenance allotment for class V highways. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the word "ten" in the

tenth line and inserting in place thereof the word, twenty, so that said section as amended shall read as follows: 1. *Class V Highways.* Amend section 10 of Part 13, chapter 90 of the Revised Laws as inserted by section 1, chapter 83, Laws of 1951, by striking out the same and inserting in place thereof the following: 10. *Maintenance Allotment by State.* In addition to any funds hereinbefore apportioned for construction and reconstruction purposes, the commissioner, in the month of July in each year, shall allot to each town a sum sufficient, when added to the amount which would be derived by a tax of thirty-five cents on each one hundred dollars of the town's last equalized valuation, to equal one hundred twenty dollars for each mile of regularly maintained class V highway in such town. The sums so allotted shall be used for the care and maintenance of class V highways and for no other purposes, under the supervision of the commissioner, and shall be expended in accordance with specifications provided by the commissioner under the direction of a person or persons appointed by the selectmen of the town.

The question being on the amendment.

(Discussion Ensued)

Mr. Soucy of Manchester, Ward 1, spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mrs. Morey of Hart's Location for the Committee on Public Works to whom was referred House Bill No. 65, An Act relative to naming certain bridges over the Blue Star Memorial Highway in the city of Portsmouth. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title by striking out the words "in the city of Portsmouth" so that said title shall read as follows: An Act relative to naming certain bridges over the Blue Star Memorial Highway.

Amend section 1 of said bill by striking out said section and inserting in place thereof the following: 1. *Bridges Named.* Bridges over the Blue Star Memorial Highway, also known as the New Hampshire Turnpike, shall be designated respectively as follows:

Bridge 1. New Zealand Road, Seabrook, as the Seabrook Veterans Memorial Bridge.

Bridge 2. Kensington Road, Hampton Falls, as the Robert G. Lord Memorial Bridge.

Bridge 3. Exeter Road, Hampton Falls, as the Lincoln E. Akerman Memorial Bridge.

Bridge 4. Drakeside Road, Hampton, as the Pacific Veterans Memorial Bridge.

Bridge 5. Exeter Road, Hampton, as the Atlantic Veterans Memorial Bridge.

Bridge 10. Breakfast Hill Road, Greenland, as the John W. Weeks and Charles S. Blakeney Memorial Bridge.

Bridge 11. Ocean Road, Greenland, as the Charles H. Hayden and the Reginald A. Trefethen Memorial Bridge.

Bridge 12. Railroad Underpass, Portsmouth, as the Robert A. Anderson Memorial Bridge.

Bridge 13. South Side Road, Portsmouth, as the William A. Dorney, Jr. Memorial Bridge.

Bridge 14. Sherburne Road, Portsmouth, as the Shea Memorial Bridge.

Bridge 15. Woodbury Avenue, Portsmouth, as the George R. Laderbush Memorial Bridge.

The commissioner of public works and highways shall cause suitable markers to be placed on said bridges.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Taken from the Table

House Bill No. 124, An Act relative to naming Frederic E. Everett Highway.

The question being on the amendments as printed on pages 6 and 7 of the Journal of February 12.

On a *viva voce* vote the amendments were adopted, and the bill ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate by its clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives.

House Bill No. 20, An Act relative to labeling agricultural seeds.

House Bill No. 30, An Act increasing fees for licenses relative to the purchase and sale of poultry.

House Bill No. 54, An Act to regulate the sale and distribution of commercial feeds in the state of New Hampshire.

House Bill No. 70, An Act relating to destruction of documents, checks, and papers in the state treasurer's files.

The message also announced that, the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 6, An Act relating to retirement benefits.

Senate Bill Read and Referred

Senate Bill No. 6, An Act relating to retirement benefits.

Read a first and second time and referred to the committee on Appropriations.

Committee Appointed

Pursuant to the concurrent resolution adopted by both branches, relative to the advisability and feasibility of adopting the Federal Social Security Plan for employees of the state and its political subdivisions, the Speaker appoints as members of such committee on the part of the House, Messrs. Walker of Concord, Faulkner of Keene, and Mrs. St. Pierre of Rochester.

Resolutions

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time and that third readings of bills be by their titles only.

Third Readings

House Bill No. 33, An Act relative to nonresident students at university of New Hampshire.

House Bill No. 38, An Act relative to enlarging the powers and duties of the trustees of the state college and university.

House Bill No. 59, An Act relative to shooting human beings while hunting.

House Bill No. 65, An Act relative to naming certain

bridges over the Blue Star Memorial Highway in the city of Portsmouth.

House Bill No. 87, An Act relative to taxation of property held by a town or district in another town or district for water supply or flood control purposes.

House Bill No. 124, An Act relative to naming Frederic E. Everett Highway.

House Bill No. 125, An Act to incorporate the Berlin Mills Railway, Inc.

House Bill No. 148, An Act relating to the appointment of child placing agencies as guardians.

House Bill No. 149, An Act relating to petitions for adoption of minors.

House Bill No. 150, An Act relating to adoption of illegitimate children.

House Bill No. 179, An Act relative to maintenance allotment for class V highways.

House Bill No. 194, An Act relative to the bag limit for taking raccoons.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Studley of Rochester at 12:10 o'clock the House adjourned.

THURSDAY, FEBRUARY 19, 1953

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Almighty Father, whose command is over all and whose providence faileth not, keep us ever mindful of Thy presence and obedient to Thy will. Thou only knowest our needs and understandest our strength and our weakness, and Thou alone can touch us with that Spirit that exalts, enriches and purifies. Guard us against dishonesty in purpose and in deed, that we so live that we can stand unashamed before loved ones and before Thee. If doubts beset us, steady our faith, if we are tempted from the way of right, make us strong to resist, if we fail, give us the courage to try again.

Imbue us at all times with an earnest and patriotic desire to do great things for Thee and our country.

"Long may our land be bright
With freedom's holy light;
Protect us by Thy might,
Great God our King"

In the name of Christ. *Amen*

Leaves of Absence

Messrs. Ladd of Epping, and Ferguson of Pittsfield were granted leave of absence for the day on account of illness.

Mr. Spaulding of Hudson was granted leave of absence for the day on account of important business.

Introductions of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Crandall of Dover, House Bill No. 301, An Act to increase the bonded indebtedness of the city of Dover. To the Delegation from the City of Dover.

By Mr. Crandall of Dover, House Bill No. 302, An Act relative to the requirements for registration for the practice of pharmacy and sale of drugs. To the Committee on Public Health.

By Mr. Lamson of New London, House Bill No. 303, An Act relating to the printing of the fire insurance contract. To the Committee on Insurance.

By Mr. Saidel of Manchester, House Bill No. 304, An Act relative to increasing sheriffs fees.

To the Committee on Municipal and County Government.

By Mr. Grimes of Dover, House Bill No. 305, An Act relating to the parking of motor vehicles. To the Committee on Executive Departments and Administration.

By Mr. Barka of Derry, House Bill No. 306, An Act relative to the local option question as to the sale of beer in cities and towns. To the Committee on Liquor Laws.

By Mr. Fernald of Rochester, House Bill No. 307, An Act establishing the dates of legal holidays. To the Committee on Judiciary.

By Mr. Grimes of Dover, House Bill No. 308, An Act relating to motor vehicles. To the Committee on Judiciary.

By Mrs. Brungot, Mrs. Fontaine and Mr. Theriault of Berlin, House Bill No. 309, An Act relative to unemployment compensation for individuals voluntarily retiring to accept the benefits of the federal social security act. To the Committee on Labor.

By Mr. Malley of Somersworth, House Bill No. 310, An Act authorizing the city of Somersworth to issue bonds for school purposes. To the Delegation from the City of Somersworth.

Order Vacated

On motion of Mr. Wells of Newton the order whereby House Bill No. 243, An Act relative to unemployment compensation, jurors was referred to the Committee on Judiciary was vacated and the bill was referred to the Committee on Labor.

Committee Reports

Mr. Lamson of New London for the Committee on Insurance to whom was referred House Bill No. 28, An Act providing for the licensing of agents of fraternal benefit societies. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lamson of New London for the Committee on Insurance to whom was referred House Bill No. 157, An Act relative to taxes on marine underwriting profits. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Foote of Portsmouth for the Committee on Liquor Laws to whom was referred Senate Bill No. 2, An Act relative to State liquor store agents. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 1 and inserting in place thereof the following: 1. *Sale of Alcoholic Liquors.*

Amend section 10, chapter 170, Revised Laws, as amended by section 16, part 24, chapter 5, Laws of 1950 by striking out said section and inserting in place thereof the following: 10. *Operation of State Stores, Sales Agents.* The commission may in its discretion operate state stores for the sale of liquor in such cities and towns as shall have accepted the provisions hereof as hereinafter provided, and, subject to the state personnel regulations, and within the limits of available appropriations and funds, may appoint sales agents to sell liquor in said stores; any sales agents appointed for any store shall have been a resident of the town or city where said store is located for at least six months prior to said appointment, provided that there is no person who is a resident of said town or city available, the commission may appoint a sales agent who shall have been a resident of the county within which said store is located, for at least six months prior to said appointment. The salaries of such sales agents shall not be governed by the amount of sales. No sales agent authorized to sell liquor under the provisions hereof, shall sell liquor except such as may be legally obtained under the provisions hereof.

The report was accepted.

The question being on the amendment.

(Discussion Ensued)

Mr. Foote of Portsmouth spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mrs. Wastcoat of Candia for the Committee on Municipal and County Government to whom was referred House Bill No. 131, An Act relating to school boards. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Belletete of Jaffrey for the Committee on Transportation to whom was referred House Bill No. 184, An Act relating to out-of-state motor vehicles. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Belletete of Jaffrey for the Committee on Transportation to whom was referred House Bill No. 114, An Act relative to motor busses owned and used for religious societies. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Geisel of Manchester for the Committee on Banks to whom was referred House Bill No. 132, An Act relative to printing banking laws by the bank commissioner. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that,

Pursuant to a Concurrent Resolution relative to a committee to consider the Federal Social Security Plan previously adopted, the President appointed as members of such committee on the part of the Senate, Senators Tirrell and Jones.

The message also announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

House Bill No. 5, An Act relating to the state emergency fund.

House Bill No. 15, An Act relative to compensation of jurors.

House Bill No. 16, An Act extending certain aeronautical appropriations.

House Bill No. 83, An Act relating to mortgages or deeds of trust.

House Joint Resolution No. 14, Joint Resolution providing for an appropriation to reimburse the Governor's emergency fund.

House Joint Resolution No. 17, Joint Resolution relative to claim of Footwear Center.

House Joint Resolution No. 19, Joint Resolution in favor of Wilda C. Masse.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their title only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

Third Readings

House Bill No. 132, An Act relative to printing banking laws by the bank commissioner.

House Bill No. 157, An Act relative to taxes on marine underwriting profits.

House Bill No. 184, An Act relating to out-of-state motor vehicles.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 2, An Act relative to state liquor store agents.

Read a third time and passed and sent to the Senate for concurrence on the amendment.

On motion of Mrs. Nutter of Epsom at 12:00 o'clock the House adjourned.

TUESDAY, FEBRUARY 24, 1953

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God our Leader and Instructor, help us to ever rely upon the words Thou hast given us by the Psalmist: "I will instruct thee and teach thee in the way which thou shalt go: I will counsel thee with mine eye upon thee." Thou art our guide — in the midst of the conflicting philosophies of this topsy-turvy world; at times when we are called upon to make important decisions; when life's pathway is clouded with dense fog and, when death enshrouds in its black pall some friend

or loved one. Whatever our condition or station in life may be, may we never forget that Thou our Father standest ready to show us the right way and give us the strength to walk therein. May we never spurn Thy help and wisdom.

"Ah, Lord, we're wayward and we're weak,
Our gladness changing to sad sigh:
O keep Thou us as Thou dost speak,
And guide us ever with Thine eye."

In the name of our Divine Guide Jesus Christ. *Amen*

Leaves of Absence

Messrs. Vaughan of Newport and Ferguson of Pittsfield were granted leave of absence for the day on account of illness.

Messrs. Hazelton of Chester, Dodge of Concord and Lang of Troy were granted leave of absence for the week on account of illness.

Mr. Adams of Greenfield was granted leave of absence for three weeks on account of illness.

Mr. Rainey of Manchester Ward 8 was granted an indefinite leave of absence on account of illness.

Mrs. Nutter of Epsom and Mr. Gingras of Ashland were granted leave of absence for the week on account of important business.

Report of Committee on Engrossed Bills

Mrs. Hundley of Portsmouth for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled Bills:

House Bill No. 20, An Act relative to labeling agricultural seeds.

House Bill No. 30, An Act increasing fees for licenses relative to the purchase and sale of poultry.

House Bill No. 54, An Act to regulate the sale and distribution of commercial feeds in the state of New Hampshire.

House Bill No. 70, An Act relating to destruction of documents, checks, and papers in the state treasurer's files.

The report was accepted.

Introduction of Bills

The following bills were severally introduced, read a first

and second time, laid upon the table to be printed and referred as follows:

By Mr. Saidel of Manchester, House Bill No. 311, An Act relating to the statute of limitations as to prior convictions. To the Committee on Judiciary.

By Mr. Martel of Manchester, House Bill No. 312, An Act providing for a revolving fund for use by the state technical institutes. To the Committee on Education.

By Mr. Vaughan of Newport, House Bill No. 313, An Act relative to the so-called state aid formula. To the Committee on Education.

By Mr. Haley of Keene, House Bill No. 314, An Act relative to county appropriations in aid of the Elliot Community Hospital in Keene. To the Delegation from Cheshire County.

By Mr. Maxham of Concord, House Bill No. 315, An Act relative to mortuary regulations. To the Committee on Public Health.

By Mr. English of Hancock, House Bill No. 316, An Act to provide more adequate accommodations on public recreational areas. To the Committee on Resources, Recreation and Development.

By Mr. Vaughan of Newport, House Bill No. 317, An Act relative to rights of retired teachers. To the Committee on Education.

By Mr. Robinson of Gorham, House Bill No. 318, An Act relative to motor vehicle operator's licenses held by military personnel. To the joint Committees on Transportation and Military and Veterans' Affairs.

By Mr. Griffin of Lincoln, House Bill No. 319, An Act relating to powers of municipal courts in cities and certain towns. To the Committee on Judiciary.

By Mr. Cilley of Concord, House Bill No. 320, An Act relative to liability between counties for support of paupers. To the Committee on Municipal and County Government.

By Mr. Beamis of Somersworth, House Bill No. 321, An Act relative to disposition of certain fines collected by municipal courts. To the Committee on Judiciary.

By Mr. Grimes of Dover, House Bill No. 322, An Act relating to motor vehicle liability insurance. To the Committee on Insurance.

Committee Reports

Mr. Pillsbury of Manchester for the Committee on Appropriations to whom was referred House Bill No. 130, An Act relative to making appropriations for and on behalf of the New Hampshire wing, civil air patrol. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Killeen of Walpole for the Committee on Appropriations to whom was referred House Joint Resolution No. 18, a Joint Resolution providing funds for 100th anniversary of the inaugural of Franklin Pierce. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Barker of Derry for the Committee on Aviation to whom was referred House Bill No. 17, An Act relative to landing areas for operation of aircraft under the aeronautics act. Having considered the same, reported the same with the following amendment and the recommendation that the bill as amended ought to pass.

Amend section 1 by inserting after the word "aircraft" in the eighth line the words, flown on a chartered or taxi; further amend by striking out after the word "operation" in the eighth line the words "but not as both" so that said section as amended shall read as follows:

1. *Aeronautics; Prohibited Acts.* Amend paragraph VI of section 26 of chapter 306, Revised Laws by striking out said paragraph and inserting in place thereof the following: VI. For any person to operate or permit operation of aircraft on or from any landing area for compensation or hire, unless said area is registered with the commission. For the purpose of this section an area used either as the point of departure or as the destination of an aircraft flown on a chartered or taxi operation shall not be considered a landing area.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Barka of Derry for the Committee on Aviation to

whom was referred House Bill No. 129, An Act relating to the general exemption from property taxes of certain privately owned airports. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Bennett of Keene for the Committee on Executive Departments and Administration to whom was referred House Bill No. 10, An Act relative to bonds for trustees of city or town trust funds. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Powell of Sutton for the Committee on Executive Departments and Administration to whom was referred House Bill No. 151, An Act relating to the sale of securities and defining a dealer therein. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Ryan of Nashua for the Committee on Municipal and County Government to whom was referred House Bill No. 181, An Act increasing fees for licensing dogs. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Pappagianis of Nashua for the Committee on Municipal and County Government to whom was referred House Bill No. 182, An Act providing additional charges for failure to pay the fee for a dog license. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Maxham of Concord for the Committee on Public Welfare and State Institutions, to whom was referred House

Bill No. 35, An Act in relation to the care and education of the feeble minded. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 3 by striking out said section and inserting in place thereof the following: 3. *Commitment and Transfer.* Amend section 9 of chapter 129 of the Revised Laws by striking out said section and inserting in place thereof the following: 9. *Commitment and Transfer.* Feeble-minded persons may, with the approval of the trustees and superintendent of said school, be transferred from the state hospital by its superintendent to said school.

Amend section 4 by inserting after the word "clinic" in the fifth line the words, or suitable and adequate agency approved by the mental hygiene clinic, and by inserting after the word "may" in the eighth line the words, with the approval of the trustees and superintendent of said school, so that said section as amended shall read as follows: 4. *Committal by Court.* Amend section 10 of chapter 129 of the Revised Laws by striking out said section and inserting in place thereof the following: 10. *Application, etc.* Any application for the committal of any person to the Laconia State Schol shall be referred by the judge of probate to the mental hygiene clinic, or a suitable and adequate agency approved by the mental hygiene clinic, for study, report and recommendation prior to hearing. Upon the finding that such person is a suitable subject for said institution, such person may, with the approval of the trustees and superintendent of said school, be committed to said school by an order of commitment directed to the superintendent, accompanied by a certified copy of the report prepared and executed by said clinic.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Griffin of Lincoln for the Committee on Ways and Means to whom was referred House Bill No. 229, An Act providing for the assessment and collection of a special head tax for state purposes. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The undersigned, a minority of the Committee on Ways and Means to whom was referred House Bill No. 229, An Act providing for the assessment and collection of a special head

tax for state purposes. Having considered the same and being unable to agree with the majority, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

J. F. MALLEY
D. F. CASEY
JOHN J. KEARNS
A Minority of the Committee.

The reports were accepted.

Mr. Kearns of Manchester moved that the report of the minority "inexpedient to legislate" be substituted for the report of the majority, ought to pass.

The question being on the motion to substitute.

(Discussion Ensued)

Messrs. Kearns and Martel of Manchester, Malley of Somersworth, Payeur of Pembroke, Waling of Keene and Flanagan of Dover spoke in favor of the motion to substitute.

Messrs. Griffin of Lincoln, McMeekin of Haverhill, Washburn of Bartlett, Spaulding of Hudson, Jones of Lebanon, Geisel and Pillsbury of Manchester, and Mesdames Holmes of Amherst, and Martin of Littleton, spoke against the motion to substitute.

Mr. Angus of Claremont moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the minority report "inexpedient to legislate" for that of the majority "ought to pass."

Mr. Kearns of Manchester asked for a division

A division being had, 103 members having voted in the affirmative, and 237 members having voted in the negative the motion to substitute did not prevail.

The question being on the majority report "ought to pass."

On a *viva voce* vote the report of the committee was adopted.

Mr. Malley of Somersworth offered the following amendment:

Amend said bill by striking out in lines four and five of section 1 the words "and under seventy" so that said section as amended shall read as follows: 1. *Special Head Tax.* There is hereby levied and assessed in 1953 and 1954 for the use of the state, a special head tax of five dollars upon each and every resident of the state, as defined herein, over twenty one years of age.

The question being on the amendment.

(Discussion Ensued)

Mr. Malley of Somersworth spoke in favor of the amendment.

Mr. Griffin of Lincoln spoke against the amendment.

On a *viva voce* vote the amendment was not adopted and the bill ordered to a third reading.

On motion of Mr. Pillsbury of Manchester the rules were so far suspended as to allow for the third reading and final passage of House Bill No. 229, by title only, at the present time.

Read a third time and passed and sent to the Senate for concurrence.

Reconsideration

Mr. Griffin of Lincoln moved that the House reconsider its vote whereby the House voted to pass House Bill No. 229.

On a *viva voce* vote the motion to reconsider did not prevail.

Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 88, An Act changing the title of the trustee who keeps the books for trustees of trust funds.

House Bill No. 92, An Act relating to the payment of taxes by non-resident contractors.

House Bill No. 115, An Act legalizing the biennial election in the town of Plainfield.

The message further announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 58, An Act relative to qualifications for voting and issuance of transfer cards.

Amend section 1 of the bill by striking out in line 13 the word "thirty" and substituting in place thereof the word, five, so that said section as amended shall read as follows: 1. *Qualifications for Voting; Transfer Cards.* Amend paragraph II of section 8 of chapter 31 of the Revised Laws, as amended by section 1, chapter 187 of the laws of 1943, and by chapter 165 of the Laws of 1945, by striking out said paragraph and inserting in place thereof the following: II. The supervisors of each city and town shall provide themselves with cards, to be known as transfer cards, in such form as the secretary of state may determine, which shall have printed thereon a schedule to indicate the name of the voter, the town or city of which he is a legal voter, the approximate date of removal therefrom, the town or city to which he removes, and such other information as may be necessary together with spaces for the signatures of a majority of the supervisors. The supervisors shall execute and issue such transfer cards to legal voters whose names appear on the checklist, who apply therefor not more than six months and not less than five days next prior to any election and who furnish satisfactory evidence of their intention to remove to another town or city or to remove to another ward in the same city and to vote therein at such election. Upon the issuance of such a transfer card to any voter his name shall be removed from the checklist by the supervisors issuing said card; provided, however, that in the event that any legal voter fails to apply for such a transfer card within the time stipulated, such failure to apply shall not be deemed to be a forfeiture of his voting domicile from the town or ward from which he has removed; and such voter shall retain his voting domicile in the town or ward from which he removed until he has resided in the town or ward to which he has moved for a period of six months next prior to any election.

On motion of Mr. Wheeler of Keene the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that:

The Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 23, An Act authorizing the town of Newport to fund or refund its indebtedness.

Senate Bill Read and Referred

Senate Bill No. 23, An Act authorizing the town of Newport to fund or refund its indebtedness.

Read a first and second time and referred to the Committee on Municipal and County Government.

Resolutions

Mr. Healey of Manchester, Ward 6, offered the following resolution:

Whereas, We have learned of the death of Philip R. Riley, Representative-Elect from Ward 6, Manchester and former Member of the House of Representatives of the New Hampshire Legislature, therefore be it

Resolved, That we, the members of the House of Representatives, hereby express our heartfelt sympathy to the family of our former member in its bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to the family of our former member.

On a *viva voce* vote the resolution was adopted.

Mr. Alls of Colebrook offered the following resolution:

Whereas, We have learned of the passing of Lloyd L. Flint, Representative from Milan, therefore be it

Resolved, That we, the Members of the House of Representatives, extend our heartfelt sympathy to the family of our associate member in its bereavement, and be it further

Resolved, That when the House adjourns today, it be in memory of Representative Flint, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Mrs. Flint.

On a rising vote the resolution was unanimously adopted.

Mrs. Payette of Portsmouth offered the following resolution:

Whereas, today, February 24, is the birthday of H. Sheffield Murch, Representative from the City of Portsmouth, therefore be it

Resolved, That we extend to our fellow member our congratulations and our very best wishes for a Happy Birthday today and for many more in the future.

On a *viva voce* vote the resolution was adopted.

Mr. Soucy of Manchester, Ward 1, offered the following resolution:

Whereas, this House has learned with sorrow of the death of Joel S. Daniels, Sr., former member of the House from Manchester for six terms, therefore be it

Resolved, that the Speaker appoint a committee of five to submit suitable resolutions of sympathy.

On a *viva voce* vote the resolution was adopted.

Committee Appointed

The Speaker appointed as members of such committee Messrs. Soucy, Ward 1, Geisel, Pillsbury, Lang and Mrs. Corliss of Manchester.

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time, and that third readings of bills be by their title only.

Third Readings

House Bill No. 17, An Act relative to landing areas for operation of aircraft under the aeronautics act.

House Bill No. 35, An Act in relation to the care and education of the feebleminded.

House Bill No. 129, An Act relating to the general exemption from property taxes of certain privately owned airports.

House Bill No. 130, An Act relative to making appropriations for and on behalf of the New Hampshire wing, civil air patrol.

House Bill No. 151, An Act relating to the sale of securities and defining a dealer therein.

House Bill No. 182, An Act providing additional charges for failure to pay the fee for a dog license.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Morey of Hart's Location at 1:41 o'clock the House adjourned.

WEDNESDAY, FEBRUARY 25, 1953

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Rev. Theodore B. Hadley, Pastor of the Congregational Churches of Hampstead and Atkinson.

Our Heavenly Father:

We thank Thee for another day which Thou hast given us to use for ourselves, for our fellow men, and for Thee. Grant us the ability to make wise decisions; to put first things first; and to be loyal to the best that we know. Help us to face the difficulties of our days with patience and with courage; and keep us from becoming weary in well-doing.

Lead us to accept responsibility without wavering; to rise above our differences that our accomplishments may be for the benefit of all.

Help us always to remember the blessings we enjoy as free men and women in a free land, and to live in such a way that our inheritance may be passed on to all mankind. May our deliberations and our actions truly work for the well-being of our fellow-men, and always to Thy Glory. *Amen*

Leaves of Absence

Messrs. Deans of Milford, and Pinkham of Northwood were granted leave of absence for the day on account of important business.

Messrs. Codding of Keene and Hambleton of Goffstown were granted leave of absence for Wednesday and Thursday on account of important business.

Mrs. Nutter of Epsom was granted leave of absence for the remainder of the week on account of death in the family.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Stearns of Durham, House Bill No. 323, An Act relative to agreements to be entered into between the university and the town of Durham. To the Committee on Municipal and County Government.

By Mr. Pillsbury of Manchester, House Bill No. 324, An act relative to benefits under the teachers' retirement system. To the Committee on Education.

By Mr. Malley of Somersworth and Mr. Geisel of Manchester, House Bill No. 325, An Act relative to expense of providing educational facilities for the physically handicapped. To the Committee on Education.

By Mr. Malley of Somersworth, House Bill No. 326, An Act relative to the salaries of the Strafford county commissioners. To the Delegation from Strafford County.

By Mr. Saidel of Manchester, House Bill No. 327, An Act relating to jury trials in the municipal court of Manchester. To the Committee on Judiciary.

Report of Committee on Engrossed Bills

Mrs. Landers of Keene for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Bills and House Joint Resolutions:

House Bill No. 5, An Act relating to the state emergency fund.

House Bill No. 15, An Act relative to compensation of jurors.

House Bill No. 16, An Act extending certain aeronautical appropriations.

House Bill No. 83, An Act relating to mortgages or deeds of trust.

House Bill No. 88, An Act changing the title of the trustee who keeps the books for trustees of trust funds.

House Bill No. 92, An Act relating to the payment of taxes by non-resident contractors.

House Bill No. 115, An Act legalizing the biennial election in the town of Plainfield.

House Joint Resolution No. 14, Joint Resolution providing for an appropriation to reimburse the governor's emergency fund.

House Joint Resolution No. 17, Joint Resolution relative to claim of Footwear Center.

House Joint Resolution No. 19, Joint Resolution in favor of Wilda C. Masse.

The report was accepted.

Communication

The Hon. Raymond Perkins
Speaker of the House
State House
Concord, N. H.

Dear Mr. Perkins:

I am herewith formally transmitting to you a report on possible additions or extension to the New Hampshire Turnpike system in conformity with the directive of the 1951 Legislature.

Respectfully,
FRANK D. MERRILL,
Commissioner.

Committee Reports

Mr. Parmenter of Londonderry for the Committee on Executive Departments and Administration to whom was referred House Bill No. 176, An Act relative to the computation of mileage allowance for members of the legislature. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Executive Departments and Administration to whom was referred House Bill No. 176, An Act relative to the computation of mileage allowance for members of the legislature. Having considered the same and being unable to agree with the

majority, reported the same with the recommendation that the bill ought to pass.

ROBERT H. TEMPLE,
A Minority for the Committee

The reports were accepted.

Mr. McCarthy of Manchester moved to substitute the minority report "ought to pass" for the report of the majority "inexpedient to legislate."

The question being on the motion to substitute.

(Discussion Ensued)

Messrs. McCarthy and Gagnon of Manchester spoke in favor of the motion.

Mr. Rainie of Concord spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail.

Mr. Gagnon of Manchester asked for a division.

A division being had the Speaker declared the vote to be manifestly in the negative, and the motion to substitute did not prevail.

The question being on the resolution of the committee that it is "inexpedient to legislate."

On a *viva voce* vote the resolution was adopted.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 145, An Act relating to taking hares and rabbits. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 193, An Act relative to sale of brook trout for use as food, Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the words "twenty-five" in the thirteenth line and inserting in place thereof the word, five, so that said section as amended shall read as follows: 1.

Sale of Brook Trout. Amend chapter 246 of the Revised laws by inserting after section 25 the following new section: 25-a. *Sale of Brook Trout.* Brook trout raised by any such licensee may be possessed, bought and sold for use as food in hotels and restaurants, provided, however, that there shall be attached to each fish or part thereof so possessed, bought or sold, a special tag provided by the director, which tag shall remain attached to the fish or part thereof until immediately prior to cooking. Brook trout raised outside the state may similarly be possessed, bought and sold for use as food in hotels and restaurants within the state, provided they be tagged as provided for brook trout raised by licensees. Out-of-state wholesalers who wish to sell brook trout in this state must first procure a wholesaler's license to so do, the fee for which shall be five dollars. The director is authorized to make tags available to licensees and to out-of-state wholesale licensees outside the state at a nominal charge.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Foote of Portsmouth for the Committee on Liquor Laws to whom was referred House Bill No. 39, An Act relative to questions to be submitted to the voters relative to sale of liquor and beverages. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Willey of Campton for the Committee on Municipal and County Government to whom was referred House Bill No. 47, An Act relative to the term of office of certain assistant election officials. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Brown of Easton for the Committee on Municipal and County Government to whom was referred House Bill No. 127, An Act relative to selectmen. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Eldredge of Exeter moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion Ensued)

Mr. Eldredge of Exeter spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Jewett of Concord for the Committee on Municipal and County Government to whom was referred House Bill No. 221, An Act revising the election in the town of New Durham. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of the bill by striking out the word "revising" and inserting in place thereof the word, legalizing, so that said title as amended shall read as follows:

An Act Legalizing the election in the town of New Durham.

Amend section 1 of the bill by striking out the word "second" in the second line and inserting in place thereof the word, fourth, so that said section as amended shall read as follows:

1. *Proceedings Legalized.* The votes and proceedings at the biennial election held in the town of New Durham on the fourth day of November 1952, are hereby legalized, ratified and confirmed.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Spaulding of Hudson for the Committee on Public Works to whom was referred House Bill No. 235, An Act relative to reclassification of a road in New Durham. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Ashley of Lebanon for the Committee on Ways and Means to whom was referred House Joint Resolution No. 12, Joint Resolution relative to abatement of certain franchise

taxes against certain telephone companies. Having considered the same, reported the same with the following amendment, and the recommendation that the Joint Resolution as amended ought to pass.

Amend the Joint Resolution by striking out the whole of said joint resolution and inserting in place thereof the following:

JOINT RESOLUTION

Relative to abatement of certain property taxes against certain telephone companies, car companies and individuals.

Whereas, for certain years the state assessed on certain telephone companies certain property taxes, and

Whereas, it has been now ascertained that said taxes on said companies were in excess of the amounts due or uncollectible, now therefore be it

Resolved, by the Senate and House of Representatives in General Court convened:

That the state through its tax commission hereby abates the following property taxes now standing as claims against the following companies:

North Wilmot Telephone Company	1947	$9.27
	1948	12.18
	1949	15.08
Total abatement		$36.53
Chester Telephone Company	1944	$61.40
	1945	74.98
	1947	107.59
	1948	129.92
	1950	150.85
Total abatement		$524.74
Sandown Telephone Company	1944	$6.14
	1945	13.04
	1946	34.70
	1947	44.52
	1948	56.84
	1950	68.96
Total abatement		$224.20

Washington and Cherry Valley Tel Co.	1944	$67.54
	1945	32.60
Total abatement		$100.14
Keith Railway Equipment Co.	1943	$12.03
Cambridge — H. King, Bethel, Maine,		
State Tax	1929	$3.18
School Tax	1929	5.25
State Tax	1930	3.18
School Tax	1930	5.25
State Tax	1931	2.68
School Tax	1931	5.25
Total abatement		$24.79
Hales Location — Whitman Duprey, Berlin, N. H.		
State Tax	1934	$0.23
School Tax	1934	0.35
Total abatement		$0.58

The report was accepted.

Reading of the amendment having commenced on motion of Mr. Griffin of Lincoln further reading was dispensed with.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the joint resolution ordered to a third reading.

Letter of Resignation

Hon. Raymond K. Perkins,
Speaker of the House of Representatives
State House
Concord, New Hampshire

Dear Sir:

Please be advised that I have recently moved from Exeter, New Hampshire to Concord, New Hampshire. Inasmuch as I no longer am a qualified resident of Exeter, I, herewith, tender you my resignation in compliance with Part 2, Article 14 of the Constitution of New Hampshire for necessary action.

Very truly yours,
ALBERT R. McREEL

The letter of resignation was referred to the Committee on Elections.

Hon. Raymond K. Perkins
Speaker of the House of Rep.
Concord, New Hampshire

Dear Sir:

I hereby tender my resignation as member of the General Court from the Town of Antrim, because of conflict with the Federal Hatch Act, and request that the same be accepted.

GUY A. HOLLIS

The letter of resignation was referred to the Committee on Elections.

Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that:

The Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 2, An Act relative to state liquor store agents.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives.

House Bill No. 52, An Act relative to reinstatement of permanent firemen to retirement benefits.

House Bill No. 156, An Act relative to salary of the special justices of the municipal court of Dover.

The message also announced that:

The Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 16, An Act relative to proceedings in the assessment of taxes of railroads and utilities.

Senate Bill No. 18, An Act relative to disability benefits under firemen's retirement system.

Senate Bills Read and Referred

Senate Bill No. 16, An Act relative to proceedings in the assessment of taxes of railroads and utilities.

Read a first and second time and referred to the Committee on Ways and Means.

Senate Bill No. 18, An Act relative to disability benefits under firemen's retirement system.

Read a first and second time and referred to the Committee on Labor.

Resolutions

Mr. Littlehale of Durham offered the following resolution.

Whereas, We have learned with regret of the death of Daniel Chesley, former representative and senator from Durham, now therefore be it,

Resolved That we, the members of the House of Representatives, hereby express our deep sympathy to his family in its bereavement, and be it further,

Resolved, that the Clerk of the House transmit a copy of these resolutions to the family.

On a *viva voce* vote the resolution was adopted.

Mrs. Hundley of Portsmouth offered the following resolution:

Whereas, Today, February 25th, is the birthday of Thomas A. Hyde, Representative from Andover, therefore be it,

Resolved, That we, the members of the House of Representatives, extend our best wishes for a happy birthday and for many happy returns of the day.

On a *viva voce* vote the resolution was adopted.

Concurrent Resolution

Mr. English of Hancock offered the following concurrent resolution:

CONCURRENT RESOLUTION

Extending to the Department of State an invitation to send Foreign Service personnel to observe deliberations of the Legislature.

Resolved, That the President of the Senate appoint one

member of the Senate and the Speaker of the House two members of that body to a committee charged with extending to John Foster Dulles, Secretary of State, an invitation to send to Concord a few officers of the Foreign Service to observe law making at a state level, the invitation to be in substantially the following form:

Pursuant to a Concurrent Resolution passed by the General Court of the State of New Hampshire an invitation is hereby extended to the Department of State to select a few officers of the Foreign Service to come to Concord to observe the deliberations of the New Hampshire Legislature and the process of law making. It is suggested that not more than two or three officers at a time be sent, each group for a period of two weeks.

The purpose of this invitation is two fold. Officers of the Foreign Service rarely have a chance to familiarize themselves with the operation of state legislatures and political thought at the state level, and, it is hoped, this opportunity could contribute to their further usefulness abroad and their better understanding of a phase of our democracy. Also, their presence in Concord would tend to serve as a valuable addition to the store of knowledge of foreign affairs of the legislators of this State.

While funds are not available to cover the expenses of such assignments, every facility would be accorded to the Foreign Service personnel selected to make the most of their stay in Concord — including, where possible, arrangements to address representative gatherings during the days the Legislature was not in session.

The concurrent resolution was laid upon the table to be printed and to be taken up in the regular order of business on Tuesday, March 3.

Qualified

Mr. Ecker of Manchester having qualified before His Excellency, the Governor, then appeared and took his seat as a member of the House.

Resolution

On motion of Mrs. Boutain of Northumberland the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time and

that third readings of bills be by their titles, and joint resolution by its caption only.

Third Readings

House Bill No. 47, An Act relative to the term of office of certain assistant election officials.

House Bill No. 193, An Act relative to sale of brook trout for use as food.

House Bill No. 221, An Act revising the election in the town of New Durham.

House Joint Resolution No. 12, Joint Resolution relative to abatement of certain franchise taxes against certain telephone companies.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Goodwin of Hollis at 12:25 o'clock the House adjourned.

THURSDAY, FEBRUARY 26, 1953

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Great God, who hast made the universe by Thy might, and established the world by Thy wisdom, we come in the deepest spirit of humility before Thy footstool at this time. When we look at the greatness of Thy creation about us, we are led to cry out with Thy servant of old: "When I consider the heavens, the work of Thy fingers, the moon and the stars which Thou hast ordained; What is man that Thou are mindful of him?" But we are mindful of the fact that Thou dost consider us, and we come to Thee seeking Thy protection; and with that protection we seek strength; and in our strength wise discretion; and in our discretion, justice mingled with love — love toward Thee, our country and all mankind. We ask it in the name of Jesus Christ. *Amen*

Leaves of Absence

Messrs. Brown of Strafford, Soucy of Manchester, Ward 1, Comi of Concord, Barton of Keene and Peever of Salem

were granted leave of absence for the day on account of important business.

Mr. Haley of Keene was granted leave of absence for the day on account of illness.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mrs. Otis of Concord, House Bill No. 328, An Act relative to policemen's retirement system. To the Committee on Municipal and County Government.

By Mr. Kearns of Manchester, House Bill No. 329, An Act relative to prices charged for services performed in barber shops. To the Committee on Executive Departments and Administration.

By Mr. Spaulding of Hudson, House Bill No. 330, An Act providing for the construction, maintenance, repair and operation of a water pipeline from lake Winnipesaukee to the city of Portsmouth; creating a body politic and corporate to be known as the New Hampshire water authority, and defining its powers and duties. To the Joint Committee on Resources, Recreation and Development, and Public Works.

By Mr. Gingras of Ashland, House Bill No. 331, An Act dividing Grafton county into commissioner districts. To the Delegation from Grafton County.

By Mr. Smith of Langdon, House Bill No. 332, An Act relative to decreasing the length of season for the taking of wild deer. To the Committee on Fish and Game.

By Mr. Smith of Langdon, House Bill No. 333, An Act relative to killing dogs found in the act of pursuing deer. To the Committee on Fish and Game.

By Mr. Saidel of Manchester, House Bill No. 334, An Act relating to reference of prior convictions. To the Committee on Judiciary.

By Mr. Kimball of Jefferson, House Joint Resolution No. 34, Joint Resolution in favor of Francis Bailey. To the Committee on Appropriations.

By Mr. Adams of Lebanon, House Joint Resolution No. 35, Joint Resolution in favor of Cora Shares. To the Committee on Appropriations.

Printing Dispensed With

On motion of Mr. McMeekin of Haverhill the rules of the House were so far suspended as to dispense with the printing of House Joint Resolution Nos. 34 and 35.

Report of Committee on Engrossed Bills

Mrs. Mahoney of Concord for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Bills and Senate Bill:

House Bill No. 58, An Act relative to qualifications for voting and issuance of transfer cards.

House Bill No. 123, An Act relative to change in classification of highway in Orange.

House Bill No. 124, An Act relative to naming Frederic E. Everett Highway.

House Bill No. 126, An Act to authorize the Londonderry School District to exceed its limits of bonded indebtedness.

House Bill No. 156, An Act relative to the salary of the special justice of the municipal court of Dover.

Senate Bill No. 2, An Act relative to state liquor store agents.

The report was accepted.

Committee Reports

On motion of Mr. Willey of Campton the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Willey of Campton for the Committee on Elections reports that the resignation of Ray L. Merrill of Kingston is in due and proper order and further recommends that it be accepted and that the seat be declared vacant.

The report was accepted.

The question being on the recommendation of the committee.

On a *viva voce* vote the recommendation of the committee was adopted.

Mr. Willey of Campton for the Committee on Elections reports that the resignation of Albert R. McReel of Exeter

is in due and proper order and further recommends that it be accepted and that the seat be declared vacant.

The report was accepted.

The question being on the recommendation of the committee.

On a *viva voce* vote the recommendation of the committee was adopted.

Mr. Ladd of Epping for the Committee on Agriculture to whom was referred Senate Bill No. 4, An Act relative to destruction of records of public weighers. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Miss Woodward of Waterville for the Committee on Education to whom was referred House Bill No. 163, An Act relating to the determination of adjusted valuation for school aid purposes. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Hundley of Portsmouth for the Committee on Education to whom was referred House Bill No. 192, An Act relative to courses of study in schools relative to physical education and the safe use of firearms. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Perley of Lebanon for the Committee on Executive Departments and Administration to whom was referred House Bill No. 265, An Act relative to eligibility for public assistance. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 139, An Act regarding the closing of certain lakes and ponds for fishing.

Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out said section and inserting in place thereof the following: 1. *Regulations by Fish and Game Director.* Amend section 14 of chapter 240 of the Revised Laws as amended by chapter 132, Laws of 1947, by inserting after the word "over" in the seventh line the words, ninety days for stocking or conservation purposes and; further amend said section by striking out the word "sixty" in the seventh line and inserting in place thereof the words, one hundred and fifty, and inserting after the word "days" in the seventh line the words, to reclaim ponds, so that said section as amended shall read as follows: 14. *Areas Closed Temporarily to Hunting.* Notwithstanding the other provisions of this chapter, the director shall have the power and authority to close to hunting any area in which it is in his opinion dangerous to human life to hunt thereon because of people working therein, and he shall have the power and authority to close any season for the taking of fish in any area for not over ninety days for stocking or conservation purposes and one hundred and fifty days to reclaim ponds in any calendar year when in his opinion such action shall be necessary for the protection or preservation of the fish in such area. Any rule, regulation or order of the director issued pursuant to this section shall take effect at such time as shall be stated therein and shall be given such publication as the director may in his discretion deem proper to fairly acquaint the residents of the locality affected thereby of the provisions thereof.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Perkins of Concord, Ward 3 for the Committee on Judiciary to whom was referred House Bill No. 96, An Act prohibiting suits for alienation of affections. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Angus of Claremont for the Committee on Labor to whom was referred House Bill No. 178, An Act relative to increasing benefits under workmen's compensation law. Having

considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Maxham of Concord for the Committee on Public Welfare and State Institutions to whom was referred House Bill No. 117, An Act relating to insurance on the lives of recipients of assistance. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Mafera of Raymond for the Committee on Resources, Recreation and Development to whom was referred House Bill No. 98, An Act providing for the classification of certain waters of Piscataquog river and its tributaries. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Roeder of Belmont for the Committee on Resources, Recreation and Development to whom was referred House Bill No. 135, An Act relating to the building of camp fires. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 1 and inserting in place thereof the following: 1. *Fire Regulations.* Amend section 39 of chapter 233 of the Revised Laws by striking out said section and inserting in place thereof the following: 39. *Camp Fires.* Camp or cooking fires may be kindled only with written permission of the landowner or his agent and verbal permission of the warden of the town in which the fire is to be kindled and only at suitable times and in suitable places when said fire will not endanger woodlands as described in section 35 (b); except in such towns as have adopted by-laws or regulations making other requirements and further provided that camp or cooking fires may be built without written permission on public camp or picnic grounds when such areas are open for public use or private picnic places where suitable

fire places approved by the Forest Fire Warden are provided for the same. As used herein a camp or cooking fire shall be a small fire suitable for cooking purposes used in connection with a camp, picnic or lunch purposes and does not include the burning of household rubbish, or large amounts of brush or other inflammable material. Whoever shall kindle or cause to be kindled any such fire or use an abandoned fire in or near woodlands, shall totally extinguish the same before leaving it and upon failure to do so such person or persons shall be subject to the same liabilities and penalties as are prescribed in sections 36 and 38. The State Forester may adopt such reasonable rules and regulations as may be necessary to give effect to the provisions of this section.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Rathbone of Exeter for the Special Committee consisting of the members from Exeter and Stratham to whom was referred House Bill No. 138, An Act relative to powers of Exeter Water Works. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the word "Works" and inserting in place thereof the word, department, so that said title as amended shall read as follows:

An Act relative to powers of Exeter Water Department.

Amend section 1 of said bill by striking out the words "Works, a" in the first line, so that said section as amended shall read as follows:

1. *Exeter Water Department.* Exeter Water Department of the town of Exeter, is hereby authorized to supply water to that portion of the town of Stratham which lies within the area of one mile on each side of that portion of the highway known as Portsmouth Avenue running from the Stratham-Exeter line to the point where routes 101 and 108 divide, provided such supply of water to said part of Stratham is feasible and reasonable. The supplying of water to another town as herein provided shall not subject the Exeter Water Department to supervision of the public utilities commission except as to the provision of section 7 to 18, inclusive, of chapter 289, Revised Laws, relative to reports, accounts and records.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolution:

Concurrent Resolution relative to the federal government retiring from the field of motor fuel taxation.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives.

House Bill No. 44, An Act relative to retirement of bonds for Class IV and V highways.

House Bill No. 65, An Act relative to naming certain bridges over the Blue Star Memorial Highway.

House Bill No. 123, An Act relative to change in classification of a highway in Orange.

House Bill No. 124, An Act relative to naming Frederic E. Everett Highway.

House Bill No. 126, An Act to authorize the Londonderry School District to exceed its limits of bonded indebtedness.

House Bill No. 170, An Act relative to maintenance allotment for Class V highways.

The message also announced that:

The Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 15, An Act entitled uniform business records as evidence act.

Senate Bill No. 19, An Act to enable corporations to make charitable contributions.

Senate Bill No. 25, An Act conferring jurisdiction upon Superior Court of actions founded on implied contracts.

Senate Bill No. 27, An Act to authorize administration of small estates upon giving bond without sureties.

The Senate has passed the following joint resolutions, in

the passage of which it asks the concurrence of the House of Representatives:

Senate Joint Resolution No. 1, Joint Resolution providing for a deficiency appropriation for the division on alcoholism.

Senate Joint Resolution No. 2, Joint Resolution providing for a deficiency appropriation of diagnostic laboratories.

Senate Bills Read and Referred

Senate Bill No. 15, An Act entitled uniform business records as evidence act.

Senate Bill No. 25, An Act conferring jurisdiction upon Superior Court of action founded on implied contracts.

Severally read a first and second time and referred to the Committee on Judiciary.

Senate Bill No. 19, An Act to enable corporations to make charitable contributions.

Senate Bill No. 27, An Act to authorize administration of small estates upon giving bond without sureties.

Severally read a first and second time and referred to the Committee on Executive Departments and Administration.

Senate Joint Resolution No. 1, Joint Resolution providing for a deficiency appropriation for the division on alcoholism.

Senate Joint Resolution No. 2, Joint Resolution providing for a deficiency appropriation of diagnostic laboratories.

Severally read a first and second time and referred to the Committee on Appropriations.

Resolutions

Mr. Pillsbury of Manchester offered the following resolution:

Resolved, That for the week ending March 14, 1953, the House shall hold its meetings on Wednesday, Thursday and Friday.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that

the third readings of bills be by their title only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

Third Readings

House Bill No. 98, An Act providing for the classification of certain waters of Piscataquog river and its tributaries.

House Bill No. 135, An Act relating to the building of camp fires.

House Bill No. 138, An Act relative to powers of Exeter Water Works.

House Bill No. 139, An Act regarding the closing of certain lakes and ponds for fishing.

House Bill No. 163, An Act relating to the determination of adjusted valuation for school aid purposes.

House Bill No. 178, An Act relative to increasing benefits under workmen's compensation law.

House Bill No. 192, An Act relative to courses of study in schools relative to physical education and the safe use of firearms.

House Bill No. 265, An Act relative to eligibility for public assistance.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 4, An Act relative to destruction of records of public weighers.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Roe of Newport at 12:00 o'clock the House adjourned.

TUESDAY, MARCH 3, 1952

The House met according to adjournment.

Prayer was offered by the Chaplain.

Almighty God, Ruler of all the peoples of the earth regardless of where they live, the language they speak or the

color they bear, we humbly beseech Thee to bless the representation of these peoples in the United Nations now assembled in Thy presence. Direct, we most earnestly and humbly beseech Thee, all their consultations to the advancement of Thy glory, the safety, welfare, and security of the peoples of the whole world. Grant to the members of this world-wide body, to think, and do, always such things as are right, and act accordingly. Guide them not only to seek the welfare of their own people, but the greater good of the security and peace and unity of all mankind, that Thy kingdom may be advanced in the earth. Through Jesus Christ our Lord. *Amen*

Leaves of Absence

Messrs. Keenan of Dover, and Brown of Strafford were granted leave of absence for the week on account of important business.

Mr. Ladd of Epping was granted leave of absence for the week on account of illness in the family.

Mr. Lang of Troy was granted leave of absence for the week on account of illness.

Mr. Jordan of Plainfield was granted leave of absence for the day on account of illness.

Mr. Wheeler of Keene was granted leave of absence for the day on account of important business.

Letter of Resignation

Honorable Raymond K. Perkins
Speaker, House of Representatives
Concord, New Hampshire

Dear Sir:

Inasmuch as I have received a commission from the Superior Court to perform the duties of Sheriff for the County of Cheshire, I submit herewith my resignation as Representative from the Town of Hinsdale.

Very respectfully yours,

FRANK W. WALKER

The letter of resignation was referred to the Committee on Elections.

Communication

The following letter was read by the Speaker.

AMBASSADE DE BELGIQUE

Washington, 24 February 1953

Hon. Enoch D. Fuller,
Secretary of the State of
New Hampshire,
Concord, New Hampshire.

Sir,

I have the honor to place before you, for transmission to the Senate and to the House of the State of New Hampshire, a message of grateful appreciation and friendship which I trust they will accept and convey to the people of the Granite State, in reply to the concurrent resolution you kindly forwarded to me.

Accept, Sir, the assurances of my highest consideration.

(signed) BARON SILVERCRUYS,
Ambassador of Belgium

AMBASSADE DE BELGIQUE

To the People of New Hampshire, through
Their Representatives in General Court Assembled

The Belgian Ambassador to the United States of America gratefully acknowledges the Concurrent Resolution adopted on February the fifth, 1953 by the Senate and House of Representatives of the State of New Hampshire and wishes to convey to the people of the Granite State his most heartfelt appreciation of their message on the occasion of the recent disaster which has befallen the Low Countries and the United Kingdom.

At every crucial turn in their history, the people of the Kingdom of Belgium have met with the spontaneous response from the people of the United States and they have derived from their ready assistance the fullest measure of inspiration and comfort.

In this emergency, they rally with their neighbors from the Netherlands and the United Kingdom in a further expression of their faith in their abiding association with their American friends and they offer them their sincere thanks for this renewed token of understanding and sympathy.

(Signed) BARON SILVERCRUYS,
Belgian Ambassador to the
United States of America

Reconsideration

Mrs. Brungot of Berlin moved to reconsider the vote whereby the House voted inexpedient to legislate House Bill No. 117, An Act relating to insurance on the lives of recipients of assistance.

The question being on the motion to reconsider.

(Discussion Ensued)

Mrs. Brungot of Berlin, and Messrs. Black of Bennington, Corbett of Concord, and Healy of Manchester, Ward 6 spoke in favor of the motion.

Mrs. Millar of Claremont spoke against the motion.

On a *viva voce* vote the motion to reconsider did not prevail.

Mrs. Brungot of Berlin asked for a division.

A division being had 163 members having voted in the affirmative, and 139 members having voted in the negative, the motion to reconsider prevailed.

Recommitted

On motion of Mrs. Brungot of Berlin, House Bill No. 117, An Act relating to insurance on the lives of recipients of assistance, was recommitted to the Committee on Public Welfare and State Institutions.

Introduction of Bills and Joint Resolutions

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mrs. Atwood of Sanbornton, House Bill No. 335, An Act relative to reports of court expenditures, and county borrowing. To the Committee on Municipal and County Government.

By Mr. Weeks of Greenland, House Bill No. 336, An Act relative to development of tidal waters and harbors. To the Committee on Resources, Recreation and Development.

By Mr. McAllister of Barnstead, House Bill No. 337, An

Act relative to prohibiting the sale of beer or ale in non-returnable containers. To the Joint Committees on Liquor Laws and Public Works.

By Mrs. Funkhouser of Durham, House Bill No. 338, An Act relative to cooperative school districts. To the Committee on Education.

By Mr. Comi of Concord, House Bill No. 339, An Act to establish a basic workweek and a basic work day for employees at the state institutions. To the Joint Committees on Executive Departments and Administration, and Labor.

By Mr. Comi of Concord, House Bill No. 340, An Act relative to salaries of employees in the classified service of the state. To the Committee on Appropriations.

By Mr. Comi of Concord, House Bill No. 341, An Act relative to basic work week for assistants in departments of public works and highways. To the Joint Committees on Executive Departments and Administration, and Labor.

By Mr. Comi of Concord, House Bill No. 342, An Act to authorize the governor and council to establish a basic work week for employees in the state service. To the Committee on Executive Departments and Administration.

By Mr. Comi of Concord, House Bill No. 343, An Act relative to benefits under employee retirement system. To the Joint Committee on Executive Departments and Administration, and Labor.

By Mr. Comi of Concord, House Bill No. 344, An Act relating to the minimum wage law. To the Committee on Labor.

By Mrs. Goodwin of Hollis, House Bill No. 345, An Act establishing the uniform reciprocal enforcement of support act. To the Committee on Judiciary.

By Mr. Patenaude of Henniker, House Bill No. 346, An Act relative to fees for stamping beaver skins. To the Committee on Fish and Game.

By Mr. Comi of Concord, House Bill No. 347, An Act to prevent the interruption of municipal services and to continue good relations existing between the New Hampshire municipalities and their employees. To the Committee on Municipal and County Government.

By Mr. Diffenderfer of Ossipee, House Bill No. 348, An

Act relative to the salary for county commissioners of Carroll County. To the Delegation from Carroll County.

By Miss Spollett of Hampstead, House Bill No. 349, An Act relative to frozen desserts. To the Committee on Agriculture.

By Mr. Geisel of Manchester, House Bill No. 350, An Act relative to the powers of the board of incorporation and management of trust companies' incorporation. To the Committee on Banks.

By Mrs. Goodwin of Hollis, House Bill No. 351, An Act relative to old-age and survivors insurance coverage for public employees. To the Committee on Executive Departments and Administration.

By Mr. Ford of Wolfeboro, House Joint Resolution No. 36, Joint Resolution providing for taking the sense of the legal voters of the state on the question of calling a constitutional convention. To the Committee on Judiciary.

By Mr. Nickerson of Tamworth, House Joint Resolution No. 37, Joint Resolution relative to publication of a New Hampshire book. To the Committee on Appropriations.

Report of Committee on Engrossed Bills

Mrs. Corliss of Manchester for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled Senate and House Bills:

Senate Bill No. 4, An Act relative to destruction of records of public weighers.

House Bill No. 52, An Act relative to reinstatement of permanent firemen to retirement benefits.

House Bill No. 100, An Act relative to trustees of Brewster Free Academy.

House Bill No. 112, An Act relative to powers and duties of town manager.

House Bill No. 116, An Act relating to the change of name of the Berlin Building and Loan Association.

House Bill No. 125, An Act to incorporate the Berlin Mills Railway, Inc.

House Bill No. 179, An Act relative to maintenance allotment for class V highways.

House Bill No. 44, An Act relative to retirement of bonds for Class IV and Class V highways.

The report was accepted.

Committee Reports

Miss Loizeaux of Plymouth for the Committee on Appropriations to whom was referred House Joint Resolution No. 2, Joint Resolution relative to lookout tower on Crotched Mountain. Having considered the same, reported the same with the following amendment, and the recommendation that the Joint Resolution as amended ought to pass.

Amend the resolution by striking out all after the resolving clause and insert in place thereof the following:

That the forestry division of the forestry and recreation department is hereby directed to maintain the lookout tower on Crotched Mountain in Francestown during any periods of the year when in its opinion hazardous fire conditions prevail. The sum of one thousand three hundred dollars ($1,300) for the fiscal year ending June 30, 1953, the sum of one thousand six hundred dollars ($1,600) for the fiscal year ending June 30, 1954, and the sum of one thousand six hundred dollars ($1,600) for the fiscal year ending June 30, 1955 is hereby appropriated to be expended by the forestry division for the purpose of repairing said tower and providing for the maintenance of the same during such periods as said provision shall be necessary. The governor is authorized to draw his warrants for the sums hereby appropriated in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Pillsbury of Manchester for the Committee on Appropriations to whom was referred House Joint Resolution No. 16, Joint Resolution in favor of the county of Coos. Having considered the same, reported the same with the recommendation that the Joint Resolution ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Pillsbury of Manchester for the Committee on Appropriations to whom was referred House Joint Resolution No. 27, Joint Resolution in favor of Carroll County. Having considered the same, reported the same with the following Resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fuller of Hanover for the Committee on Executive Departments and Administration to whom was referred House Bill No. 214, An Act relative to the Boynton Common School Fund. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Goodwin of Hudson for the Committee on Executive Departments and Administration to whom was referred House Bill No. 99, An Act relating to powers and duties of trustees of the Industrial School. Having Considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Cooper of Nashua for the Committee on Judiciary to whom was referred House Bill No. 190, An Act to increase the powers of Rivier College. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words "academic degrees and honors as the said college may deem appropriate" in lines seven and eight and inserting in place thereof the words, degrees and diplomas upon the graduates therefrom as are conferred by institutions of like character, so that said section as amended shall read as follows:

1. *Rivier College.* The powers of Rivier College, an institution of learning established pursuant to "An Act to increase the powers of the Couvent de la Presentation de Marie" approved April 3, 1935, chapter 294 Laws of 1935, and organized as a corporation under chapter 272 of the Revised Laws pursuant to an act in relation to Rivier College approved June 26, 1947, chapter 391 Laws of 1947, are hereby increased so that the said college may confer such degrees and diplomas upon the graduates therefrom as are conferred by institutions of like character.

Amend section 2 of said bill by striking out the words "academic degrees and honors as the said college may deem

appropriate" in line seven and inserting in place thereof the words, degrees and diplomas upon the graduates therefrom as are conferred by institutions of like character, so that said section as amended shall read as follows:

2. *Conferring of Degrees and Honors.* Section 1 of chapter 294 Laws of 1935 and Article II of the articles of agreement of Rivier College are hereby amended by striking out the following clause: "to confer upon the graduates thereof the degrees of bachelor of arts, bachelor of science, bachelor of education, bachelor of music, and other degrees and diplomas of similar grades" and substitute therefor the following: to confer such degrees and diplomas upon the graduates therefrom as are conferred by institutions of like character.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Gardner of Littleton for the Committee on Municipal and County Government to whom was referred House Bill No. 248, An Act authorizing the Hooksett School district to issue bonds. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 4 of the bill by striking out all after the word "effect" and inserting in place thereof the words, upon its passage, so that said section as amended shall read as follows:

4. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Clow of Wolfeboro for the Committee on Public Health to whom was referred House Bill No. 172, An Act relating to the practice of veterinary medicine. Having considered the same, reported the same with the following resolution.

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Clow of Wolfeboro for the Committee on Public Health to whom was referred House Bill No. 174, An Act relating to household chemicals. Having considered the same,

reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Merrill of Hampton for the Special Committee consisting of the delegation from Rockingham County to whom was referred House Bill No. 68, An Act relative to the salary of the solicitor of Rockingham county. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the words "twenty-four" in the fifth and eighth lines and inserting the words, twenty-two, so that said section as amended shall read as follows:

1. *Salary of Solicitor of Rockingham County.* Amend section 20 of chapter 24 of the Revised Laws, as amended by chapters 40 and 136 of the Laws of 1943, and by chapters 2, 27, 202, 213, 242, 263, 268 and 270 of the Laws of 1947, and by chapter 183, Laws of 1949, by striking out the word, eighteen, in the third line and inserting in place thereof the word, twenty-two, so that said section as amended shall read as follows: 20. *Salaries.* The annual salaries of the solicitors in the several counties shall be as follows:

In Rockingham, twenty-two hundred dollars.
In Strafford, eighteen hundred dollars.
In Belknap, fifteen hundred dollars.
In Carroll, twelve hundred dollars.
In Merrimack, two thousand dollars.
In Hillsborough, twenty-eight hundred dollars.
In Cheshire, fifteen hundred dollars.
In Sullivan, fifteen hundred dollars.
In Grafton, eighteen hundred dollars.
In Coos, eighteen hundred dollars.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Taken from the Table
Concurrent Resolution

Relative to extending to the Department of State an invitation to send Foreign Service personnel to observe deliberations of the Legislature.

The question being on the adoption of the Concurrent Resolution.

(Discussion Ensued)

Mr. English of Hancock spoke in favor of the Concurrent Resolution.

On a *viva voce* vote the Concurrent Resolution was adopted.

On motion of Mr. Willey of Campton the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Willey of Campton for the Committee on Elections reports that the resignation of Guy A. Hollis of Antrim is in due and proper order and further recommends that it be accepted and that the seat be declared vacant.

The question being on the recommendation of the committee.

On a *viva voce* vote the recommendation of the committee was adopted.

Concurrent Resolution

Mr. Diffenderfer of Ossipee offered the following Concurrent Resolution:

Whereas, an application for a television station on Mount Washington, the highest peak in the White Mountains of New Hampshire and the highest peak in the northeastern part of the United States, has been filed with the Federal Communication Commission in Washington for a channel, to be more specifically identified as Channel 8, and

Whereas, the erection and establishment of such a television station and channel would be of great benefit in the educational and recreational fields of activity for the people of the northern section of New England and to the interest and benefit of the nation as a whole in the expansion and enlargement of its communication system, now therefore be it *Resolved by the House of Representatives, the Senate Concurring,*

That our Congressional Delegation be instructed to request the Federal Communication Commission to schedule a hearing on the allocation of Channel 8 at the earliest practical date and be it further

Resolved, that the Secretary for the State of New Hamp-

shire be instructed to transmit a copy of this resolution to each member of the New Hampshire Congressional Delegation and be it further

Resolved, that a copy of this resolution be transmitted to the Chairman of the Federal Communication Commission in Washington, D. C.

On a *viva voce* vote the concurrent resolution was adopted.

Senate Message

A message sent down from the Honorable Senate by its Clerk announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 109, An Act to provide for the allowance of a discount upon the prompt payment of legacy and succession taxes.

Amend the bill by striking out section 1 thereof and inserting in place thereof the following:

1. *Repeal.* Section 50 of chapter 87 of the Revised Laws is hereby repealed.

On motion of Mr. Plumer of Bristol the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that:

The Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 24, An Act relative to fees for corporations procuring passage of private acts.

Senate Bill No. 29, An Act relative to write-in votes at primary elections.

Senate Bills Read and Referred

Senate Bill No. 24, An Act relative to fees for corporations procuring passage of private acts.

Read a first and second time and referred to the Committee on Executive Departments and Administration.

Senate Bill No. 29, An Act relative to write-in votes at primary elections.

Read a first and second time and referred to the Committee on Judiciary.

Resolution

On motion of Mrs. Brock of Atkinson the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time and that third readings of bills be by their titles and joint resolutions by their captions only.

Third Readings

House Bill No. 68, An Act relative to the salary of the solicitor of Rockingham county.

House Bill No. 99, An Act relating to powers and duties of trustees of the Industrial School.

House Bill No. 174, An Act relating to household chemicals.

House Bill No. 190, An Act to increase the powers of Rivier College.

House Bill No. 214, An Act relative to the Boynton Common School Fund.

House Bill No. 248, An Act authorizing the Hooksett School district to issue bonds.

House Joint Resolution No. 2, Joint Resolution relative to lookout tower on Crotched Mountain.

House Joint Resolution No. 16, Joint Resolution in favor of the county of Coos.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. St. Pierre of Rochester at 12:40 o'clock the House adjourned.

WEDNESDAY, MARCH 4, 1953

The House met at 11:00 o'clock.

Prayer was offered by guest Chaplain, Rev. Craig Richards, 1st Parish, Federated Church, South Berwick, Maine.

Almighty God, from whom all blessings flow, most heartily we beseech Thee to look with favor upon Thy servants, the representatives of this State. Imbue them with the spirit of wisdom, goodness and truth; and so rule their hearts and bless their endeavors that law and order, justice and peace may everywhere prevail. Break down, we beseech Thee, all that divides us one from another; shame our jealousies and lay low our pride; do away with all prejudice, that the bonds of mutual service to Thee and our fellow men, may unite us. Preserve us from sins and corruption. Make us strong and great in the fear of God and in the love of righteousness so that, being blessed of Thee, we may become a blessing to this State and to the nation. In Christ's name we pray. *Amen.*

Leaves of Absence

Mr. Spaulding of Hudson was granted leave of absence for the day on account of important business.

Messrs. Nichols of Centre Harbor and Ferguson of Pittsfield were granted leave of absence for the day on account of illness.

Communication

The following letter was read by the Speaker.

BRITISH EMBASSY
WASHINGTON

The Honorable Hugh Gregg,
Governor of the State of New Hampshire,
Concord, New Hampshire

20th February, 1953

My Dear Governor,

I have received a copy of the Concurrent Resolution passed by the House of Representatives and the Senate of the State of New Hampshire about the disasters caused in my country by the recent storms and floods.

I wish to express to you, to the Secretary of State, to the Representatives and the Senators, and to the people of the State of New Hampshire, my deep appreciation of your sympathy. The friendly sentiments to which your Resolution gives such warm expression will fortify all those who are charged with the task of relief and reconstruction.

Yours Sincerely,

Roger Makins

Report of Committee on Engrossed Bills

Mr. Hyde of Andover for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Bill:

House Bill No. 65, An Act relative to naming certain bridges over the Blue Star Memorial Highway.

The report was accepted.

Committee Reports

Mrs. Griffin of Auburn for the Committee on Executive Departments and Administration to whom was referred House Bill No. 224, An Act relative to the East Northwood Cemetery Association. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Cooper of Nashua for the Committee on Judiciary to whom was referred House Bill No. 142, An Act relating to compensation for members of organizations for civil defense. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Atkins of Hanover for the Committee on Judiciary to whom was referred House Bill No. 159, An Act relating to the crossing of public lands and waters by utilities and others. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Frizzell of Charlestown for the Committee on Judiciary to whom was referred House Bill No. 201, An Act relating to by-laws and ordinances for observances of the Lord's Day. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Concord, Ward 3 for the Committee on Judiciary to whom was referred House Bill No. 211, An Act relative to nonresident trustees. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Faulkner of Keene for the Committee on Judiciary to whom was referred House Bill No. 223, An Act relating to suits by and against administrators. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate, subject matter covered by existing legislation.

The report was accepted and the resolution of the committee adopted.

Mr. Maxham of Concord for the Committee on Public Welfare and State Institutions to whom was referred House Bill No. 34, An Act establishing a New Hampshire Tri-State Commission. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Public Welfare and State Institutions to whom was referred House Bill No. 143, An Act extending the appropriation for the so-called Children's Study Home. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Public

Welfare and State Institutions to whom was referred House Bill No. 274, An Act relative to burial of indigent persons. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Corliss of Manchester for the Committee on Resources, Recreation and Development to whom was referred House Bill No. 95, An Act providing for the classification of certain surface waters in Grafton county. Having considered the same reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out paragraph VI and inserting in place thereof the following: VI. All tributaries to the Mascoma River, excepting those specified in paragraph IV above, paragraphs IX and X below and Great Brook in the town of Lebanon downstream from the concrete dam at the "Scrape," in the towns of Lyme, Dorchester, Hanover, Canaan, Orange, Grafton, Lebanon, Enfield, Grantham, and Plainfield, from their sources to confluence with the Mascoma River, Class B-1.

The report was accepted.

Mr. Perley of Lebanon moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion Ensued)

Mr. Perley of Lebanon spoke in favor of the motion.

Messrs. Dort of Chesterfield, F. Jones of Lebanon, and Barney of Rumney spoke against the motion.

On a *viva voce* vote the motion to indefinitely postpone did not prevail.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Belletete of Jaffrey for the Committee on Transportation to whom was referred House Bill No. 195, An Act relative to weight of trucks used on highways. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Foote of Portsmouth for the Special Committee consisting of the delegation from the city of Portsmouth to whom was referred House Bill No. 203, An Act changing the name of Portsmouth Building and Loan Association of Portsmouth, New Hampshire to Portsmouth Co-operative Bank. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Foote of Portsmouth for the Special Committee consisting of the delegation from the city of Portsmouth to whom was referred House Bill No. 206, An Act relative to filling vacancy in office of city manager of Portsmouth. Having considered the same reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Foote of Portsmouth for the Special Committee consisting of the delegation from the city of Portsmouth to whom was referred House Bill No. 207, An Act relative to meetings of the council of Portsmouth. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Communication

The following letter was read by the Speaker:

Hon. Raymond Perkins
Speaker of the House
State House
Concord, N. H.

Dear Mr. Perkins:

I am transmitting herewith the biennial report of the Maine-New Hampshire Bridge Authority as required by Chapter 4 Special Session of 1936.

Respectfully,

FRANK D. MERRILL,
Commissioner.

The report was ordered printed in the appendix of the journal.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Repreesntatives.

House Bill No. 71, An Act relative to exemption from taxation of certain property of the Concord Police Benevolent Association.

House Bill No. 87, An Act relative to taxation of property held by a town or district in another town or district for water supply or flood control purposes.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives.

House Bill No. 100, An Act relative to Trustees of Brewster Free Academy.

House Bill No. 112, An Act relative to powers and duties of town manager.

House Bill No. 116, An Act relating to the change of name of the Berlin Building and Loan Association.

House Bill No. 125, An Act to incorporate the Berlin Mills Railway, Inc.

The message further announced that:

The Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 22, An Act relative to homestead in Landaff set off to Lisbon for school purposes.

Senate Bill Read and Referred

Senate Bill No. 22, An Act relative to homestead in Landaff set off to Lisbon for school purposes.

Read a first and second time and referred to the Committee on Municipal and County Government.

On motion of Mr. Fox of Lisbon the rules of the House were so far suspended as to dispense with the reference to Committee of Senate Bill No. 22, and that the bill be put upon its third reading and final passage by title only at the present time.

Senate Bill No. 22, An Act relative to homestead in Landaff set off to Lisbon for school purposes, was read a third time and passed and was then sent to the Secretary of State to be engrossed.

The message also announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 229, An Act providing for the assessment and collection of a special head tax for state purposes.

Amend section 9 of the bill by striking out the whole thereof and inserting in place thereof the following: 9. *Payment to State.* On or before the fifteenth day of the months of September, December, March and June, each town and city shall cause its tax collector to certify such information as the state treasurer shall require and the treasurer to pay over to the state treasurer all special head taxes and penalties collected during the preceding three months after first deducting ten percent of the head taxes collected. Such deduction shall be for the use of the town or city to offset all expenses incurred in the assessment and collection of the special head taxes; provided however that in towns where the collector of taxes is paid on a part time or commission basis not less than thirty percent of the sum so deducted shall be paid to said collector for his services in collecting said head taxes. If any town or city shall fail to make its payment when due the deduction of the ten percent to be retained by it shall be reduced by one quarter of one percent for each week or part thereof said payment is overdue.

Further amend the bill by adding at the end of Section 15 the following: Veterans permanently and totally disabled from service connection who are drawing federal compensation or pension and whose income, exclusive of said compensation

or pension, is less than $1,000.00 a year, upon written request filed on or before April 15th, shall be exempt from the special head tax: so that said section as amended shall read as follows: 15. *Exemptions.* All persons on active duty in the armed forces of the United States of America on the date of assessment shall be exempt from payment of the special head tax. Veterans permanently and totally disabled from service connection who are drawing federal compensation or pension and whose income, exclusive of said compensation or pension, is less than $1,000.00 a year, upon written request filed on or before April 15th, shall be exempt from the special head tax.

Mr. Griffin of Lincoln moved that the House concur in the amendments sent down from the Honorable Senate.

The question being on the motion to concur.

(Discussion Ensued)

Mr. Griffin of Lincoln spoke in favor of the motion to concur.

On a *viva voce* vote the motion to concur in the Senate amendments prevailed.

Mr. Martel of Manchester demanded the yeas and nays but subsequently withdrew his demand.

Mr. Waling of Keene moved that the bill be laid upon the table.

The question being on the motion to lay upon the table.

Mr. Waling of Keene demanded the yeas and nays and the roll was called with the following results:

Yeas — 96

CHESHIRE COUNTY: Waling.

SULLIVAN COUNTY: None.

GRAFTON COUNTY: None.

COOS COUNTY: Dussault, Hinchey, Henderson, Sheridan, Brungot, Bouchard, Fontaine, Theriault, Ross, Stinson.

ROCKINGHAM COUNTY: Barka, Labranche, Sewall, Barrett, Hundley, Payette, Sadler, Foote, Leary, Scamman.

STRAFFORD COUNTY: Marcotte, Flanagan, Carignan, Lacasse, Lagueux, Letourneau.

BELKNAP COUNTY: Morin.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Baron, Moore, Ferrin, Thompson of Franklin, Douphinette, DuDevoir, Payeur, Thibeault.

HILLSBOROUGH COUNTY: Farwell, Hambleton, Fortin, Connor, Horan, Martel, Sullivan, Fitzgerald, Kean, Nolan, Betley, Healy of Manchester, Ward 5, Hurley, Smith of Manchester, Callahan, Casey, Clancy, Healy of Manchester, Ward 6, Ecker, Paradis, Tessier, Constant, Delisle, Genest, Langlois, Cary, Auger, Bergeron, Kearns, O'Neil, Attalla, Lareau, Soucy of Manchester, Ward 12, Vaillancourt, Dupont, Gauthier, Lesmerises, Thibodeau, Cannon, Donnelly, Roy, Temple, Belcourt, Morrissette, Ayers, Brosnahan, Maynard of Nashua, Pappagianis, Dionne, Shea of Nashua, Chartrain, Ryan, Dugas, Dutilly, Grandmaison, Janelle, Pelletier, Bouthillier, Dumais.

Nays — 245

CHESHIRE COUNTY: Burnham, Dort, Thomas, Maynard of Fitzwilliam, Maloney, Clark of Harrisville, Belletete, Spofford, Haley, Kirk, Sweeney of Keene, Landers, Wheeler, Bennett, Heald, Codding, Faulkner, Barton, Carlton, Sherwin, Blake, Kershaw, Killeen, Rhodes, Billings, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Frizzell, Angus, Converse, Howe, Firestone, Millar, Nahil, Marcotte of Claremont, Stone, Davis of Cornish, Smith of Langdon, Wirkkala, Holden of Newport, Perry, Roe, Vaughan, Jordan, Metcalf of Springfield, Gamsby, DeLude.

GRAFTON COUNTY: Gingras, Chamberlin of Bath, Whittier, Plumer, Willey, Eggleston, Brown of Easton, Lorden, Peabody, Williams, Atkins, Fuller, Holden of Hanover, McMeekin, Sleeper, Stockwell, Adams of Lebanon, Ashley, Cole, Fred Jones, of Lebanon, Jones, Victor of Lebanon, Perley, Griffin of Lincoln, Fox, Gardner of Littleton, Longchamps, Martin, Carr, Howard, Bell of Plymouth, Loizeaux, Barney, Horner, Anderson, Woodward, Sawyer.

COOS COUNTY: Alls, Oakes, Emerson, Robinson, Kimball of Jafferson, Simonds, Swett, Boutain, Hilliard, Weeks of Stewartstown, Taylor.

ROCKINGHAM COUNTY: Brock, Griffin of Auburn, Dudley, Wastcoat, Hazelton, Hepworth, Eldridge, Rathbone, Richards, Jones of Fremont, Weeks of Greenland, Spollett, Merrill of Hampton, Ring, Thurlow, Eastman, Parmenter, McCaffrey, Sheehy, Holden of Newington, Wells, Carter, Pinkham, Mc-

Daniel, Seel, Zoffoli, Murch, Yeaton, Joyce, Wardwell, Smart, Ingraham, Philbrick, Haigh, Noyes, Durkee, Waterhouse.

STRAFFORD COUNTY: Swain, Chase, Leighton, Grimes, Fellows, Webb, Connell, Crandall, Locke of Dover, Funkhouser, Littlehale, Stearns, Blanchard, Wormhood, Nehring, Rolfe, Maxfield, Nelson, St. Pierre, Studley, Clement, Fernald, Green of Rollinsford.

BELKNAP COUNTY: Perkins of Alton, McAllister, Gardner of Gilford, Robertson, Hart, Stafford, Simoneau, Tilton of Laconia, Hoyt, Karagianis, Burbank, Brown of Laconia, Varrell, Smith of Meredith, Matthews, Atwood, Metcalf of Tilton.

CARROLL COUNTY: Washburn, Downs, Morey, Gale, Kimball of Moultonborough, Diffenderfer, Hodge, Nickerson, Hodgdon, Clow, Ford.

MERRIMACK COUNTY: Hyde, Holmes of Boscawen, Flanders, Vogel, Dodge, Tebbetts, Hancock, Lessels, Corbett, Jewett, Rainie of Concord, Saltmarsh, Bunten, Cilley, Maxham, Walker of Concord, Comi, Nawn, Sargent, Nutter, Broadhurst, Leonard, Patenaude, Mulaire, Davis of Hopkinton, Brown of Loudon, Lamson, Wilman, Young, Powell, Youmans.

HILLSBOROUGH COUNTY: Holmes of Amherst, Wiggin, Black, Jennings, Poore, Reed of Goffstown, English, Hadley, Goodwin of Hollis, Abbott, Goodwin of Hudson, Warren, Corliss, Lang of Manchester, Saidel, Soucy of Manchester, Ward 1, Danforth, Pillsbury, Robb, Peaslee of Merrimack, Deans, Falconer, Wadleigh, Cooper, Ramsdell, Boire, Locke of New Boston, Thompson of New Ipswich, Mailloux, Cummings, Dutton, Barry.

And the motion to lay upon the table did not prevail.

Reconsideration

Mr. Griffin of Lincoln moved that the House reconsider its vote whereby it voted to concur in the amendments sent down from the Honorable Senate.

On a *viva voce* vote the motion to reconsider did not prevail.

Resolution

Mr. Soucy of Manchester, Ward 1 for the committee appointed to draw resolutions relative to the death of former representative Joel S. Daniels, Sr.,

Whereas, our Heavenly Father in His infinite wisdom has called to His home Joel S. Daniels Sr., and

Whereas, Joel S. Daniels, Sr., has served as a member of the House of Representatives from Manchester during the sessions of 1927, 1935, 1937, 1939, 1947 and 1949, and as a member of the State Senate during the session of 1943, therefore be it

Resolved, that the House of Representatives hereby express its appreciation and recognition of his loyal citizenship, and his record of devoted and faithful service to the State of New Hampshire, and be it

Also Resolved, that the House of Representatives extend to the members of his family its profound and sincere sympathy, and be it

Further Resolved, that when the House adjourns today it adjourns out of respect to and in memory of Joel S. Daniels, Sr.

EMILE J. SOUCY,
JOSEPH H. GEISEL,
JOHN PILLSBURY,
GEORGE A. LANG,
MARION B. CORLISS,
Committee on Resolutions.

The resolution was unanimously adopted on a rising vote.

Resolution

On motion of Mrs. Delude of Unity the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time and that third readings of bills be by their titles only.

Third Readings

House Bill No. 95, An Act providing for the classification of certain surface waters in Grafton County.

House Bill No. 142, An Act relating to compensation for members of organizations for civil defense.

House Bill No. 159, An Act relating to the crossing of public lands and waters by utilities and others.

House Bill No. 203, An Act changing the name of Portsmouth Building and Loan Association of Portsmouth, New Hampshire to Portsmouth Co-operative Bank.

House Bill No. 206, An Act relative to filling vacancy in office of city manager of Portsmouth.

House Bill No. 207, An Act relative to meetings of the council of Portsmouth.

House Bill No. 211, An Act relative to nonresident trustees.

House Bill No. 224, An Act relative to the East Northwood Cemetery Association.

House Bill No. 274, An Act relative to burial of indigent persons.

Severally read a third time and passed and sent to the Senate for concurrence.

Reconsideration

Mr. Dort of Chesterfield moved that the House reconsider its vote whereby it voted to pass House Bill No. 95, An Act providing for the classification of certain surface waters in Grafton county.

On a *viva voce* vote the motion to reconsider did not prevail.

On motion of Mrs. Cooper of Nashua at 1:00 o'clock the House adjourned.

THURSDAY, MARCH 5, 1953

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Whitney S. K. Yeaple, State Council of Churches, Concord.

Ever present and everlasting God Our Father, we bless thy name for all thy wonderful goodness to the children of men. The heavens declare thy glory but in mankind it is revealed also. We pray for ourselves that we may be kept from guile and smallness of mind. We pray for each other that our sense of brotherhood may be increased. We pray for the agencies of government herein represented by the individuals of this group. We pray for our Governor and the President of the United States. May wisdom be given, may righteousness prevail; may concord abide and may thy will be done. Teach us anew lest we forget in the flurry of our day that Thou

does't still require that we love mercy, do justly and walk humbly. All this we ask because of our need. *Amen*

Leaves of Absence

Messrs. Hazelton of Chester, and Barton of Keene were granted leave of absence for the day on account of important business.

Mr. Ferguson of Pittsfield was granted leave of absence for the day on account of illness.

Introduction of Bills

The following bills and joint resolution were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Willey of Campton, House Bill No. 352, An Act relative to patients at Veterans hospitals fishing without a license. To the Joint Committees on Fish and Game, and Military and Veterans' Affairs.

By Mr. Eastman of Kensington, House Bill No. 353, An Act increasing the salary of Rockingham County Commissioners. To the Delegation from Rockingham County.

By Mr. McAllister of Barnstead, House Bill No. 354, An Act relative to classification of a road in Barnstead and Gilmanton. To the Committee on Public Works.

By Mr. Blanchard of Farmington, House Bill No. 355, An Act relative to highway in the town of Farmington. To the Committee on Public Works.

By Mr. Matthews of New Hampton, House Bill No. 356, An Act relative to reimbursement to towns and cities for land taken by the United States for flood control. To the Committee on Appropriations.

By Mr. Dort of Chesterfield, House Bill No. 357, An Act relative to forest conservation and taxation. To the Committee on Resources, Recreation and Development.

By Rules Committee (Pillsbury of Manchester), House Bill No. 358, An Act extending the powers of the Maine-New Hampshire interstate bridge authority. To the Committee on Public Works.

By Rules Committee (Pillsbury of Manchester), House Bill No. 359, An Act making appropriations for the motor vehicle department, state police, fish and game department, pub-

lic works and highways. To the Committee on Appropriations.

By Mr. Soucy of Manchester, Ward 1, House Bill No. 360, An Act relating to appropriations for the University of New Hampshire. To the Committee on Education.

By Mrs. Morey of Hart's Location, House Joint Resolution No. 38, Joint Resolution providing for abatement of river bank erosion. To the Committee on Resources, Recreation and Development.

Committee Reports

Mr. Davis of Hopkinton for the Committee on Appropriations to whom was referred Senate Joint Resolution No. 1, Joint Resolution providing for a deficiency appropriation for the division on alcoholism. Having considered the same, reported the same with the following amendment, and the recommendation that the Joint Resolution as amended ought to pass.

Amend the joint resolution by striking out in the first and second lines the words and figures "seventeen thousand on hundred and eighty-five dollars ($17,185.00)" and inserting in place thereof the following, sixteen thousand dollars ($16,000), so that said resolution as amended shall read as follows: That the sum of sixteen thousand dollars ($16,000) is hereby appropriated to meet a deficit in the appropriation for the health department for the division on alcoholism for the fiscal year ending June 30, 1953. The governor is authorized to draw his warrant for the sum herein appropriated out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted and the joint resolution ordered to a third reading.

On motion of Mr. Pillsbury of Manchester the rules of the House were so far suspended as to allow the third reading and final passage by title only at the present time of Senate Joint Resolution No. 1.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

Mr. Hepworth of Derry for the Committee on Executive Departments and Administration to whom was referred House Bill No. 168, An Act relative to check-lists for elections and party registration for the primary election. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Haigh of Salem for the Committee on Executive Departments and Administration to whom was referred House Bill No. 185, An Act relative to the expiration of licenses to operate. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by inserting at the end thereof the words, and increasing fees for motor vehicle operators, so that said title as amended shall read as follows: An act relative to the expiration of licenses to operate and increasing fees for motor vehicle operators.

Amend the bill by inserting after section 1 the following new sections:

2. *Motor Vehicle Fees.* Amend paragraph I of section 9 of chapter 118 of the Revised Laws as amended by section 9 of chapter 189 of the Laws of 1949 by striking out said paragraph and inserting in place thereof the following: I. For each operator's original license and examination, five dollars; for each commercial operator's original license and examination, seven dollars, and for all subsequent renewals of operator's and commercial operator's licenses, four dollars each.

3. *Motor Cycle Operators.* Amend paragraph II of section 9 of chapter 118 of the Revised Laws by striking out said paragraph and inserting in place thereof the following: II. For each motor cycle operator's license, two dollars

4. *Repeal.* Paragraph IV of section 9 of chapter 118 of the Revised Laws, relative to non-resident certificates, is hereby repealed.

Further amend the bill by renumbering section 2 to read section 5.

The report was accepted, the amendment laid upon the table under the rules.

Mr. Rainie of Concord moved that the rules be suspended and that the amendment be considered at the present time.

The question being on the motion to suspend the rules.

(Discussion Ensued)

Messrs. Rainie of Concord, and Whittier of Bethlehem spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Fuller of Hanover for the Committee on Executive Departments and Administration to whom was referred House Bill No. 191, An Act increasing fees for motor vehicle operators. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate. Subject matter covered by pending legislation.

The report was accepted and the resolution of the committee adopted.

Mr. Hayes of Concord for the Committee on Executive Departments and Administration to whom was referred House Bill No. 198, An Act to amend the unified personnel system for the state. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Personnel System. Rules and Regulations.* Amend paragraph XI of section 10, chapter 27-b as inserted by chapter 9, Laws of 1950 by striking out said paragraph and inserting in place thereof the following: XI. To consult with two classified employees who shall be designated by the State employees association and one classified employee who shall be designated by the members of the American Federation of state, county and municipal employees, before submission of the code of rules for the classified service and at other times to foster and develop programs for improvement of personnel standards.

Amend section 2 by striking out the words "upon its passage"' and inserting in place thereof the words and figures, July 1, 1953, so that said section as amended shall read as follows:

2. *Takes Effect.* This act shall take effect July 1, 1953.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Goodwin of Hudson for the Committee on Executive

Departments and Administration to whom was referred House Bill No. 228, An Act relative to the issuance of one license plate for motor vehicles. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Richards of Exeter for the Committee on Executive Departments and Administration to whom was referred House Bill No. 232, An Act relative to Short Falls Cemetery Association in the town of Epsom. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 230, An Act relating to Umbagog Lake opening to all ice fishing. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 241, An Act relative to allowing trappers use of woods during woods ban. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 257, An Act relating to dogs pursuing game. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 295, An Act prohibiting the fish and game department from stocking private ponds with fish. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Walker of Concord for the Committee on Insurance to whom was referred House Bill No. 303, An Act relating to the printing of the fire insurance contract. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Cooper of Nashua for the Committee on Judiciary to whom was referred House Bill No. 237, An Act relative to guardians of mentally incompetent persons. Having considereed the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Faulkner of Keene for the Committee on Judiciary to whom was referred House Bill No. 238, An Act relative to trustees of estates. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Matthews of New Hampton for the Committee on Judiciary to whom was referred House Bill No. 239, An Act relative to sale of investments by guardians of minors. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Brosnahan of Nashua for the Committee on Labor to whom was referred House Bill No. 217, An Act relative to unemployment compensation weekly benefit rate. Having

considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Metcalf of Tilton for the Joint Committees on Military and Veteran's Affairs, and Fish and Game to whom was referred House Bill No. 188, An Act relative to special fish and game licenses for members of the armed forces of the United States. Having considered the same, reported the same with the following amendement, and the recommendation that the bill as amended ought to pass.

Amend section 1 by inserting after the word "game" in the third line and after the word "director" in the sixth line the words, or his agent, so that said section as amended shall read as follows. 1.

1. *Fish and Game Licenses.* Any resident of this state who is a member of any branch of the armed forces of the United States and who is on leave or furlough may make application to the director of fish and game or his agent for a special license to hunt and fish during such periods as he may be on leave or furlough. Such applicant shall submit satisfactory evidence of his membership in such service of the United States, and the director, or his agent, may in his discretion, issue to such applicant a special license which shall entitle the licensee to hunt, shoot, kill or take, except by the use of traps, and to transport game birds, game animals, fish, and salt water smelt, under the restrictions of Title XX of the Revised Laws, except as otherwise provided in this section. Such license shall have marked or stamped thereon the words "resident servicemen's license." There shall be no fee for such a license.

Amend section 2 by inserting after the word "director" in the sixth, eighth and tenth lines the words, or his agent, so that said section as amended shall read as follows:

2. *Nonresidents.* Any nonresident who is a member of any branch of the armed forces of the United States who is quartered in the state or who is a guest of a resident of this state while on leave or furlough may make application for a special fish and game license as provided in the preceding section for residents, provided that such license for a non-resident shall have marked or stamped thereon the words "nonresident ser-

vicemen's license" and the fee to be paid to the director or his agent for such license shall be $4.00. If he wishes to make application for a special fishing license the fee to be paid to the director or his agent for such license shall be $2.50. If he wishes to make application for a special hunting license the fee to be paid to the director or his agent for such license shall be $2.50.

Further amend the bill by inserting after section 3 a new section to read as follows:

4. *Licenses for Aged Persons.* Any resident of this state who is over sixty-five years of age and who is receiving public aid may, upon presentation of proof of such aid, make application to the director of fish and game for a special license to fish, and to transport fish and salt water smelt, under the restrictions of Title XX of the Revised Laws. Such license shall be marked in such manner as the director may designate and there shall be no fee for such license.

Further amend said bill by renumbering sections 4 and 5 in their numerical sequence.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Ring of Hampton for the Committee on Resources, Recreation and Development to whom was referred House Bill No. 120, An Act providing for the classification of certain surface waters. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. English of Hancock for the Committee on Resources, Recreation and Development to whom was referred House Bill No. 121, An Act providing for the classification of certain surface waters. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Killeen of Walpole for the Committee on Appropriations to whom was referred House Bill No. 155, An Act to increase the salaries of the justices of the Supreme and Superior Courts. Having considered the same, reported the same

with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out in the fourth and fifth lines the words "thirteen thousand five hundred dollars" and inserting in place thereof the following, twelve thousand dollars, so that said section as amended shall read as follows: 1. *Supreme Court.* Amend section 15 of chapter 369 of the Revised Laws as amended by chapter 25, Laws of 1947, by striking out the same and inserting in place thereof the following: 15. *Salaries.* The annual salary of the chief justice and the associate justices shall be twelve thousand dollars each. Amend section 2 by striking out in the fourth and fifth lines the words "thirteen thousand five hundred dollars" and inserting in place thereof the following, twelve thousand dollars, so that said section as amended shall read as follows: 2. *Superior Court.* Amend section 5 of chapter 370 of the Revised Laws as amended by chapter 25, Laws of 1947, by striking out the same and inserting in place thereof the following: 5. *Salaries, Expenses.* The annual salary of the chief justice and the associate justices of the superior court shall be twelve thousand dollars each. Actual expenses and office rent shall be allowed the justices as provided for justices of the supreme court. Each justice of the superior court shall forward his monthly expense account to the comptroller who shall prepare the manifest for payment of said accounts.

The report was accepted.

Mr. Rainie of Concord offered the following amendment to the amendment.

Amend the amendment by striking out the word "twelve" in the third, ninth, twelfth, and nineteenth lines and inserting in place thereof the word, eleven, so that said amendment shall read as follows: Amend section 1 of the bill by striking out in the fourth and fifth lines the words, "thirteen thousand five hundred dollars" and inserting in place thereof the following, eleven thousand dollars, so that said section as amended shall read as follows: 1. *Supreme Court.* Amend section 15 of chapter 369 of the Revised Laws as amended by chapter 25, Laws of 1947, by striking out the same and inserting in place thereof the following: 15. *Salaries.* The annual salary of the chief justice and the associate justices shall be eleven thousand dollars each. Amend section 2 by striking out in the fourth and fifth lines the words, "thirteen thousand five

hundred dollars" and inserting in place thereof the following, eleven thousand dollars, so that said section as amended shall read as follows: 2. *Superior Court.* Amend section 5 of chapter 370 of the Revised Laws as amended by chapter 25, Laws of 1947, by striking out the same and inserting in place thereof the following: 5. *Salaries, Expenses.* The annual salary of the chief justice and the associate justices of the superior court shall be eleven thousand dollars each. Actual expenses and office rent shall be allowed the justices as provided for justices of the supreme court. Each justice of the superior court shall forward his monthly expense account to the comptroller who shall prepare the manifest for payment of said accounts.

The question being on the amendment to the amendment.

(Discussion Ensued)

Mr. Rainie of Concord, spoke in favor of the amendment to the amendment.

Messrs. McMeekin of Haverhill, Kearns, Saidel, Pillsbury, and Martel of Manchester, Malley of Somersworth, Scamman of Stratham, and Jones of Lebanon, spoke against the amendment to the amendment.

On a *viva voce* vote the amendment to the amendment was not adopted.

Mr. Corbett of Concord called for a division.

A division being had, 109 members having voted in the affirmative and 205 members having voted in the negative the amendment to the amendment was not adopted.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Reconsideration

Mr. McMeekin of Haverhill moved that the House reconsider its vote whereby the House voted to adopt the amendment.

On a *viva voce* vote the motion to reconsider did not prevail.

Senate Message

A message sent down from the Honorable Senate by its Clerk announced that:

The Senate had voted to concur with the House of Rep-

resentatives in its amendments to the following joint resolution:

Senate Joint Resolution No. 1, Joint Resolution providing for a deficiency appropriation for the division on alcoholism.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives.

House Bill No. 42, An Act relative to the construction, reconstruction and betterment of Class I, II, IV and V highways.

House Bill No. 182, An Act providing additional charges for failure to pay the fee for a dog license.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolutions:

CONCURRENT RESOLUTION

Extending to the Department of State an invitation to send Foreign Service personnel to observe deliberations of the Legislature.

Resolved, That the President of the Senate appoint one member of the Senate and the Speaker of the House two members of that body to a committee charged with extending to John Foster Dulles, Secretary of State, an invitation to send to Concord a few officers of the Foreign Service to observe law making at a state level, the invitation to be in substantially the following form:

Pursuant to a Concurrent Resolution passed by the General Court of the State of New Hampshire an invitation is hereby extended to the Department of State to select a few officers of the Foreign Service to come to Concord to observe the deliberations of the New Hampshire Legislature and the process of law making. It is suggested that not more than two or three officers at a time be sent, each group for a period of two weeks.

The purpose of this invitation is two fold. Officers of the Foreign Service rarely have a chance to familiarize themselves with the operation of state legislatures and political thought at the state level, and, it is hoped, this opportunity could contribute to their further usefulness abroad and their better

understanding of a phase of our democracy. Also, their presence in Concord would tend to serve as a valuable addition to the store of knowledge of foreign affairs of the legislators of this State.

While funds are not available to cover the expenses of such assignments, every facility would be accorded to the Foreign Service personnel selected to make the most of their stay in Concord — including, where possible, arrangements to address representative gatherings during the days the Legislature was not in session.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives.

Senate Bill No. 35, An Act relative to commitment to jail for non-payment of fines.

Senate Bill No. 36, An Act relating to the terms of superior court.

Senate Bills Read and Referred

Senate Bill No. 35, An Act relative to commitment to jail for non payment of fines.

Senate Bill No. 36, An Act relative to the terms of superior court.

Severally read a first and second time and referred to the Committee on Judiciary.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their title only, and that when the House adjourns today it be to meet Wednesday morning at 11:00 o'clock.

Third Readings

House Bill No. 120, An Act providing for the classification of certain surface waters.

House Bill No. 121, An Act providing for the classification of certain surface waters.

House Bill No. 155, An Act to increase the salaries of the justices of the Supreme and Superior Courts.

House Bill No. 185, An Act relative to the expiration of licenses to operate.

House Bill No. 188, An Act relative to special fish and game licenses for members of the armed forces of the United States.

House Bill No. 198, An Act to amend the unified personnel system for the state.

House Bill No. 217, An Act relative to unemployment compensation weekly benefit rate.

House Bill No. 232, An Act relative to Short Falls Cemetery Association in the town of Epsom.

House Bill No. 237, An Act relative to guardians of mentally incompetent persons.

House Bill No. 238, An Act relative to trustees of estates.

House Bill No. 239, An Act relative to sale of investments by guardians of minors.

House Bill No. 303, An Act relating to the printing of the fire insurance contract.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Hayward of Hanover at 1:20 o'clock the House adjourned.

WEDNESDAY, MARCH 11, 1953

The House met according to adjournment.

Prayer was offered by Guest Chaplain J. Hamilton Lewis, Past First Reader, First Church of Christ, Scientist, Concord, and presently Christian Science Committee on Publication for the State of New Hampshire.

After calling for a few moments of silent prayer, Mr. Lewis asked that all present join him in the repetition of The Lord's Prayer, as follows:

Our Father which art in heaven,
Hallowed be Thy name.
Thy kingdom come.
Thy will be done in earth, as it is in heaven.
Give us this day our daily bread;
And forgive us our debts, as we forgive our debtors.

And lead us not into temptation, but deliver us from evil;
For Thine is the kingdom, and the power, and the glory, forever. *Amen*

Leaves of Absence

Messrs. Thompson of Winchester, Lang of Troy and Mrs. Boutain of Northumberland were granted leave of absence for the week on account of illness.

Mr. Roeder of Belmont was granted leave of absence for the day on account of important business.

Mr. Pinkham of Northwood was granted leave of absence for Wednesday and Thursday on account of important business.

Mr. Leary of Portsmouth was granted leave of absence for two weeks on account of important business.

Mr. Ladd of Epping was granted leave of absence for an indefinite period on account of illness in the family.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mrs. Payette of Portsmouth, House Bill 361, An Act relative to open season for taking pheasants. To the Committee on Fish and Game.

By Mr. Thompson of Winchester, House Bill No. 362, An Act relative to transporting deer over state lines. To the Committee on Fish and Game.

By Mr. Diffenderfer of Ossipee, House Bill No. 363, An act relative to the use of rifle or certain shotguns during open season for deer by person who has already killed a deer. To the Committee on Fish and Game.

By Mr. Blake of Swanzey, House Bill No. 364, An Act relating to the licensing of dogs used in hunting. To the Committee on Fish and Game.

By Mr. Waling of Keene, House Bill No. 365, An Act relating to the sale and use of fireworks. To the Committee on Municipal and County Government.

By Rules Committee (Mr. Pillsbury of Manchester), House Bill No. 366, An Act to lay out and construct a continuous highway on a new location across the southeast corner

of the state of New Hampshire westerly of the present U. S. No. 1 and to extend said highway northwesterly towards the lakes and mountain regions. To the Committee on Public Works.

By Rules Committee (Mr. Pillsbury of Manchester), House Bill No. 367, An Act to lay out and construct a central New Hampshire turnpike. To the Committee on Public Works.

By Mr. Nawn of Concord, House Bill No. 368, An Act relative to bids and contracts for state printing and binding. To the Committee on Executive Departments and Administration.

By Mr. Benson of Conway, House Bill No. 369, An Act relative to applications for motor vehicle road toll refunds. To the Committee on Transportation.

By Mr. Youmans of Warner, House Bill No. 370, An Act relative to annual fees for business corporations. To the Committee on Judiciary.

By Mr. Youmans of Warner, House Bill No. 371, An Act relative to mileage rate to Warner, New Hampshire. To the Committee on Judiciary.

By Mr. Durkee of Seabrook, House Bill No. 372, An Act relative to town public works department. To the Committee on Municipal and County Government.

Report of Committee on Engrossed Bills

Mrs. Mahoney of Concord for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled Joint Resolution; Senate and House Bills:

Senate Joint Resolution No. 1, Joint Resolution providing for a deficiency appropriation for the division on alcoholism.

Senate Bill 22, An Act relative to homestead in Landaff set off to Lisbon for school purposes.

House Bill No. 42, An Act relative to the construction, reconstruction and betterment of Class I, II, IV and V highways.

House Bill No. 71, An Act relative to exemption from taxation of certain property of the Concord Police Benevolent Association.

House Bill No. 87, An Act relative to taxation of proper-

ty held by a town or district in another town or district for water supply or flood control purposes.

House Bill No. 94, An Act providing for the classification of Ashuelot river and its tributaries.

House Bill No. 97, An Act providing for the classification of Cold River and its tributaries.

House Bill No. 98, An Act providing for the classification of certain waters of Piscataquog river and its tributaries.

House Bill No. 182, An Act providing additional charges for failure to pay the fee for a dog license.

House Bill No. 229, An Act providing for the assessment and collection of a special head tax for state purposes.

The report was accepted.

Order Vacated

On motion of Mr. Kearns of Manchester the order whereby House Bill No. 329, An Act relative to prices charged for services performed in barber shops, was referred to the Committee on Executive Departments and Administration, was vacated, and the bill was referred to the Committee on Public Health.

Committee Reports

Mr. Scamman of Stratham for the Committee on Appropriations to whom was referred House Joint Resolution No. 9, Joint Resolution providing for a deficiency appropriation for communicable disease control. Having considered the same, reported the same with the recommendation that the Joint Resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Killeen of Walpole for the Committee on Appropriations to whom was referred House Joint Resolution No. 33, Joint Resolution in favor of Dr. Harry Goldman. Having considered the same, reported the same with the following Resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Tilton of Laconia for the Committee on Appropria-

tions to whom was referred House Joint Resolution No. 34, Joint Resolution in favor of Francis Bailey. Having considered the same, reported the same with the following Resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Brown of Laconia for the Committee on Aviation to whom was referred House Bill No. 14, An Act relative to the purchase and operation of aircraft by the aeronautics commission. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *State Aeronautics Commission.* Amend chapter 306 of the Revised Laws by inserting after section 8-a, as inserted by chapter 281, Laws of 1947, the following new section: 8-b. *Purchase and Operation of Aircraft.* The commission is hereby authorized to acquire by purchase, lease or otherwise and to maintain and operate such aircraft as may be approved by the governor and council and to provide for the use of such aircraft by other departments and agencies of the state. The commission is further authorized to promulgate rules and regulatons relative to use of such aircraft and to establish fees for the use thereof. All fees collected from state departments and agencies hereunder shall be credited to a special fund to be used to pay costs of maintenance and operation of said aircraft. Funds in said special fund shall not lapse but may be used as a revolving fund for the purposes of this section.

Amend section 2 of said bill by striking out said section.

Further amend said bill by renumbering section 3 to read section 2.

The question being on the amendment.

(Discussion Ensued)

Mr. Brown of Laconia spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Ferguson of Pittsfield moved that the bill be referred to the Committee on Appropriations.

The question being on the motion.

(Discussion Ensued)

Mr. Ferguson of Pittsfield spoke in favor of the motion.

On a *viva voce* vote the motion prevailed and the bill was referred to the Committee on Appropriations.

Mr. Willey of Campton for the Committee on Elections to whom was referred the resignation of Frank W. Walker of Hinsdale. Having considered the same, reported the same with the recommendation that the resignation be accepted.

The report was accepted and the recommendation of the committee adopted.

Mr. Foote of Portsmouth for the Committee on Liquor Laws to whom was referred House Bill No. 233, An Act relative to the sale of alcoholic beverages. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Morey of Hart's Location for the Committee on Public Works to whom was referred House Bill No. 66, An Act relative to placing or throwing obstructions onto highways and other public places. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to placing or throwing obstructions on the highways or other public places and relative to the penalties for the removal of certain nuisances.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Highways and Other Public Places*: Amend section 22 part 19 chapter 188 of the Laws of 1945 by striking out said section and inserting in place thereof the following:

22. *Throwing, Depositing and Dumping of Refuse: Penalty.* If any person shall put or place, or cause to be put or placed, in or upon any highway, street, square, lane, alley, public bathing place or the approaches thereto, or into any

public waters, streams or watercourse or other public place in any city or town any bottles, glass, crockery, cans, scrap metal, junk, paper, garbage, old automobile or parts thereof or refuse of any nature whatsoever or any noxious thing, he shall be fined not more than twenty-five dollars.

Further amend said bill by inserting after section 1 the following new sections:

2. *Nuisances.* Amend section 13 of chapter 165, Revised Laws, as amended by section 2, chapter 133 of the Laws of 1949 by striking out the word "twenty" in the eighth line and inserting in place thereof the word, twenty-five, so that said section as amended shall read as follows: 13. *Offensive Matter.* If a person shall place, leave, or cause to be placed or left, in or near a highway, street, alley, public place or wharf, or shall allow to be exposed unburied, any animal or other substance liable to become putrid or offensive, or injurious to the public health or deposits garbage or refuse on premises not designated as public dumping facilities in accordance with the provisions of sections 26 to 32, he shall be fined not more than twenty-five dollars; and the health officer shall remove or cause to have removed the same.

3. *Nuisances.* Amend section 21 of chapter 165 of the Revised Laws by striking out the word "ten" in the second line and inserting in place thereof the word, twenty-five, so that said section as amended shall read as follows: 21. *Penalty.* Any person violating the provision of the four preceding sections shall be fined not more than twenty-five dollars.

Further amend said bill by renumbering section 2 to read section 4.

The report was accepted, and the bill with amendment pending, laid upon the table under rule 48.

Mr. Eldredge of Exeter for the Committee on Municipal and County Government to whom was referred House Bill No. 37, An Act providing for the reimbursement of towns and cities for veterans tax exemptions. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The undersigned, a minority of the Committee on Municipal and County Government to whom was referred House Bill No. 37, An Act providing for the reimbursement of towns

and cities for veterans tax exemptions. Having considered the same and being unable to agree with the majority reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

PHILLIP WILLEY,
LISE L. PAYETTE,
A Minority of the Committee

The reports were accepted.

Mr. Eldredge of Exeter moved that the bill be made a special order for Tuesday, March 17 at 11:01 o'clock.

The question being on the motion offered by the member from Exeter.

(Discussion Ensued)

Messrs. Eldredge of Exeter, and Kearns of Manchester spoke in favor of the motion.

Mr. Willey of Campton moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion Ensued)

Mr. Willey of Campton spoke in favor of the motion.

Messrs. Angus of Claremont, Spaulding of Hudson, Ferguson of Pittsfield and Eldredge of Exeter spoke against the motion.

Mr. Ingham of Portsmouth moved the previous question.

The question being:

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion to indefinitely postpone did not prevail.

The question being on the motion for a special order.

On a *viva voce* vote the motion for a special order prevailed.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that,

The Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 85, An Act relating to permits for kindling fires.

Amend section 2 subsection (c) by adding in line 6 after the words "district chief" the following: provided such burnings are done under the surveillance of the owner or his agent, so that said section as amended shall read as follows: 2. *Commercial Burning.* Amend section 35 of chapter 233 of the Revised Laws as amended by section 2, chapter 212, Laws of 1951 by inserting after subsection (b) the following new subsection: (c) Permits for the burning of blueberry stands to increase the productivity thereof, and for the burning of waste materials of mills processing forest products may be granted by the district chief provided such burnings are done under the surveillance of the owner or his agent.

On motion of Mr. Brown of Strafford the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that, the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution sent up from the House of Representatives.

House Bill No. 94, An Act providing for the classification of Ashuelot river and its tributaries.

House Bill No. 97, An Act providing for the classification of Cold river and its tributaries.

House Bill No. 98, An Act providing for the classification of certain waters of Piscataquog river and its tributaries.

House Bill No. 135, An Act relating to the building of camp fires.

House Bill No. 149, An Act relating to petitions for adoption of minors.

House Bill No. 150, An Act relating to adoption of illegitimate children.

The message also announced that, the Senate had passed

a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 38, An Act repealing special acts relating to hospitals in Nashua.

Senate Bill Read and Referred

Senate Bill No. 38, An Act repealing special acts relating to hospitals in Nashua.

Read a first and second time and referred to the special committee consisting of the delegation from the City of Nashua.

Communication

The speaker read the following letter:

Dear Mr. Speaker:

As secretary of the New Hampshire Highway Users Conference, I have been instructed by the Conference to submit the enclosed Resolution.

The resolution was passed at a meeting of the Conference March 9, 1953.

Sincerely yours,

NEW HAMPSHIRE HIGHWAY USERS CONFERENCE
A. J. STABY,
Secretary

Hon. Raymond K. Perkins
Speaker of the House
State House
Concord, N. H.

FEDEDAL AUTOMOTIVE EXCISE TAXES

Whereas, House and Senate Joint Resolution, memorializing Congress for repeal of the Federal automotive excise taxes on motor vehicles, automotive parts and accessories, tires and tubes, motor fuel and lubricating oil, has been enacted by the New Hampshire Legislature; and

Whereas, similar legislation, seeking the repeal of one or more of the various Federal automotive excise taxes, is pending in the Legislatures of 24 other states; and

Whereas, the Governors' Conference, the National Grange the 11th General Assembly of States sponsored by the Council of State Governments, the Western Governors' Conference,

and the American Farm Bureau Federation, are among the prominent organizations which are urging the Federal government to withdraw from the field of gasoline taxation, and leave this source of revenue to the states; and

Whereas, the New Hampshire Highway Users Conference has always taken the position that the Federal automotive excise taxes — which were born of war and depression and are not earmarked for highways — are temporary, emergency taxes which should be repealed;

Therefore be it Resolved: That the New Hampshire Highway Users Conference hereby goes on record as commending the New Hampshire Legislature for enacting this resolution, and urges that Congress give prompt and favorable consideration to the recommendations contained therein; and

Be it Further Resolved: That copies of this resolution be sent to Gov. Hugh Gregg, the President of the State Senate, the Speaker of the House of Representatives, all members of the New Hampshire Congressional Delegation, and to the press.

Committee Appointed

Pursuant to the Concurrent Resolution adopted by both branches of the legislature relative to "Extending to the Department of State an invitation to send Foreign Service Personnel to observe deliberations of the Legislature," the Chair appoints to the Committee provided for in the Concurrent Resolution, the member from Hancock, Mr. English and the member from Pittsfield, Mr. Young.

Resolution

Mr. Lamson of New London offered the following resolution:

Whereas, today, March 11, 1953, is the 68th birthday of Clifford E. Gamsby, Representative from Sunapee: and

Whereas, Clif is a pretty good Joe in spite of his "nays" that should of been "yeas," therefore be it

Resolved, That we, the Members of the House of Representatives, hereby extend to our fellow Member our best wishes for a happy birthday for today and for many years to come, and be it further

Resolved, That the legislative dance at the Princess Ballroom this evening be called the Gamsby Galop in honor of his

many years of capering on the dance floor, and be it further

Resolved, That the Clerk forward to Mr. Gamsby a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

Qualified

Mr. Mudgett of Conway, Mr. Robinson of Antrim and Mrs. MacDonald of Kingston having qualified before His Excellency, the Governor, then appeared during the session and took their seats as members of the House.

On motion of Mrs. Funkhouser of Durham the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time, and that the third reading of a joint resolution be by its caption only.

Third Reading

Joint Resolution No. 9, Joint resolution providing for a deficiency appropriation for communicable disease control.

Read a third time and passed and sent to the Senate for concurrence.

On motion of Miss Horner, at 12:20 o'clock the House adjourned.

THURSDAY, MARCH 12, 1953

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Rev. Maurice Barrett, Congregational Church, Amherst.

"O God our help in ages past,
Our hope in years to come;
Our shelter from the stormy blast,
And our eternal home!"

We come into Thy presence today, earnestly invoking Thy richest blessings upon this House of Representatives, together with all of the officials throughout our State. May the spirit of wisdom, righteousness and truth abide with this group, giving light and providing courage for any and all problems that must be faced. Enable them to make the welfare of all the

supreme law of our State, that so our commonwealth may be built strong and secure on the love of all its citizens. As we have mastered Nature that we might gain wealth and material power, help all of us now to master the social relations of mankind that we may gain justice and a world of brothers. To this glorious end may this body be used as instruments of Thine. In Christ's name we pray. *Amen.*

Leaves of Absence

Messrs. Mendenhall of Dunbarton and Stockwell of Holderness were granted leave of absence for Thursday and Friday on account of important business.

Messrs. Fernald of Rochester, and Cushing of Derry were granted leave of absence for the day on account of important business.

Mr. Nichols of Center Harbor was granted leave of absence for Thursday and Friday on account of illness.

Mr. Black of Bennington was granted leave of absence for Thursday and Friday on account of illness.

Introduction of Bills

The following bills and joint resolution were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Hilliard of Pittsburg and Mr. Alls of Colebrook, House Bill No. 373, An Act relative to special non-resident small game licenses. To the Committee on Fish and Game.

By Mr. Bouchard of Berlin, House Bill No. 374, An Act relative to ward lines of the City of Berlin, and salary of library trustees and recreational trustees. To the Delegation from the City of Berlin.

By Mr. Durkee of Seabrook, House Bill No. 375, An Act relative to open season on pheasant. To the Committee on Fish and Game.

By Mr. Oakes of Columbia, House Joint Resolution No. 39, Joint Resolution in favor of Lovell V. Oakes. To the Committee on Appropriations.

Printing Dispensed With

On motion of Mr. Pillsbury of Manchester the rules were so far suspended as to dispense with the printing of House Joint Resolution No. 39.

Committee Reports

Mr. Cummings of Peterborough for the Committee on Banks to whom was referred House Bill No. 50, An Act relative to deposits of money by credit unions in federal savings and loan associations. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following: 1. *Credit Unions.* Amend section 17, chapter 315, Revised Laws as amended by section 1, chapter 26, Laws of 1949, by striking out said section and inserting in place thereof the following: 17. *Use of Funds.* While awaiting calls of its members for loans, it may deposit its money in any savings bank, trust company, federal savings and loan association, or national bank in this state, or, by majority vote of the board of directors and with the approval of the commissioner, in any savings bank, trust company, federal savings and loan association, or national bank in New England. It may invest any surplus funds in the purchase of any securities that are legal investments for savings banks in this state. Such investments shall be subject to the laws that are applicable to savings banks.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Cummings of Peterborough for the Committee on Banks to whom was referred House Bill No. 204, An Act relating to the powers of savings banks. Havings considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by inserting after the word "banks" in the third line the words, building and loan associations or cooperative banks; further amend said section by inserting after the word "drafts" in the fourth line the words, issued by it or, so that said section as amended shall read as follows: 1. *Sale of Checks.* Amend chapter 309 of the Revised Laws, as amended, by inserting after section 34 the following new section: 34-a. *Sale of Checks.* Savings banks, building and loan associations or cooperative banks may, under regulations made by the commissioner, sell negotiable checks and drafts issued by it or drawn by or on it and payable by or through a trust company or a national banking association.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Geisel of Manchester for the Committee on Banks to whom was referred House Bill No. 350, An Act relative to the powers of the board of incorporation and management of trust companies' incorporation. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Hayes of Concord for the Committee on Executive Departments and Administration to whom was referred House Bill No. 258, An Act relative to the certification of payroll manifests by the director of personnel. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by inserting a new section 2 as follows:

2. *Working Capital.* Amend section 5-a of chapter 22 of the Revised Laws, as inserted by section 2 of chapter 21 of the Laws of 1943 and amended by section 2 of chapter 252 of the Laws of 1951, by striking out said section and inserting in place thereof the following:

5-a. *Purposes.* The governor is hereby authorized to draw his warrant with the advice and consent of the council, upon any money in the general fund of the treasury, for departments other than public works and highways or fish and game, for such sums to be set apart from time to time to the credit of the state treasurer as a working capital fund as may appear to the governor and council necessary and proper upon recommendation of the comptroller for such of the following purposes as the governor and council may direct: The prompt payment of bills for materials, equipment and supplies purchased upon purchase orders issued by the director of purchase and property and bills incurred for liquor purchased by the state liquor commission under the provisions of chapter 170, Revised Laws, as amended, on which discounts are available upon such prompt payment; the payment of bills for postage stamps; the payment of salaries and expenses for officers and of persons employed in the state service on payrolls certified by the heads of the said departments, institutions or agencies or their duly authorized deputies; any payment of direct aid

to welfare recipients under programs administered by the department of public welfare. The governor is likewise (for working capital) hereby authorized to draw his warrant, with the advice and consent of the council, upon any money in the highway fund for the following expenditures for the public works and highways department, or upon any money in the fish and game fund for the following expenditures for the fish and game department: The prompt payment of bills for materials, equipment and supplies purchased upon purchase orders issued by the director of purchase and property on which discounts are available upon such prompt payment; for the payment of bills for postage stamps, the payment of salaries and expenses of officers and of persons employed in the state service for the respective departments as determined and certified as above provided. No other payments shall be made from said working capitals except as provided for herein. This section shall not authorize the manifesting, approval, or payment of any claims in excess of appropriations or for the purposes for which appropriations do not exist. A warrant duly executed under this section shall be a sufficient warrant under section 9 of chapter 22 of the Revised Laws.

Further amend the bill by renumbering Section 2 to read Section 3.

The report was accepted and the amendment laid upon the table to be printed under rule 48.

Mr. Rainie of Concord moved that the rules be so far suspended as to dispense with the printing of the amendment.

The question being on the motion offered by the member from Concord.

(Discussion Ensued)

Mr. Rainie of Concord spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted, and the bill was referred to the Committee on Appropriations.

Mr. Foote of Portsmouth for the Committee on Liquor Laws to whom was referred House Bill No. 170, An Act relating to the sale and manufacture of cider. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Foote of Portsmouth for the Committee on Liquor Laws to whom was referred House Bill No. 171, An Act relating to prohibited sales of alcoholic beverages. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Mendenhall of Dunbarton for the Committee on Military and Veteran's Affairs to whom was referred House Bill No. 18, An Act relative to membership of the board of managers of the New Hampshire Soldiers' Home. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Mendenhall of Dunbarton for the Committee on Military and Veteran's Affairs to whom was referred House Bill No. 197, An Act relative to authority of the director of the state veterans council to act as guardian of mentally incompetent veterans in certain cases. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Christiansen of Berlin for the Special Committee consisting of the delegation from the city of Berlin to whom was referred House Bill No. 167, An Act relative to the salaries of the mayor and councilmen of the City of Berlin. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *City Officials.* Amend section 14 of chapter 121 of the Laws of 1897 as amended by section 3, chapter 225, Laws of 1903, section 1, chapter 320, Laws of 1909, section 1, chapter 349, Laws of 1913, section 1, chapter 312, Laws of 1915,

section 1, chapter 320, Laws of 1917, section 1, chapter 268, Laws of 1943 and section 6, chapter 340, Laws of 1947 by striking: Sect. 14. There shall be a board of three assessors. Said mayor shall annually appoint, subject to confirmation by the council, one assessor who shall hold office for three years. The members of the board of assessors shall receive for their services such salary as shall be fixed by the city council; said assessors shall, have the power to employ necessary clerical help at salaries to be fixed by the city council; and said mayor shall also, annually appoint, subject to confirmation of said council, one member of the board of health of not more than three persons, who shall hold office for three years; a city treasurer, who shall serve as treasurer of the board of education and receive as compensation such salary as shall be fixed by the city council not to exceed the sum of four hundred dollars per annum, payable quarterly; city auditor, collector of taxes, city solicitor, highway commisisoner, sewer commissioner, inspector of buildings and city engineer; and the said mayor shall also appoint, subject to confirmation, a chief engineer and assistant engineer of the fire department, and may create such other governmental departments and appoint, subject to confirmation as hereinbefore set forth, such officers or agents as are necessary for the good government of the city not otherwise provided for. Provided, however, that during such times as the ordinance adopted by the city relative to indefinite term of office for the chief engineer and assistant engineer of the fire department, in accordance with the provisions of section 9-a, chapter 66 of the Revised Laws, as inserted by chapter 110, Laws of 1945, shall be in effect, the provisions of this section relative to appointment of a chief engineer and assistant engineer of the fire department shall be suspended. Said council shall receive a fee of twelve dollars each for actual attendance at all regular, special or adjourned meetings, provided, however, that the total sum to be paid to each councilman for attendance at all meetings shall not exceed five hundred dollars per annum.

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3. *Takes Effect.* This act shall take effect February 1, 1953.

The report was accepted.

On motion of Mrs. Brungot of Berlin the rules of the House were so far suspended as to dispense with the reading of the amendment.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mrs. Hundley of Portsmouth for the Special Committee consisting of the delegation from the city of Portsmouth to whom was referred House Bill No. 189, An Act authorizing the city of Portsmouth to raise money and to issue bonds for school purposes. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the words "constructing and equipping a school house or schoolhouses" and inserting in place thereof the words, acquisition of necessary land, the purchase and installation of equipment, the construction of a schoolhouse or schoolhouses including auditorium, gymnasium and other athletic facilities and the construction of additions and improvements of a permanent nature to existing schoolhouses including auditorium, gymnasium and other athletic facilities, so that said section as amended shall read as follows:

1. *Authorization.* The city of Portsmouth is hereby authorized and empowered to borrow upon the credit of the city, hire and raise such sum of money, not exceeding two million, five hundred thousand dollars, as the city council shall vote to raise and appropriate, for the purpose of acquisition of necessary land, the purchase and installation of equiment, the construction of a schoolhouse or schoolhouses including auditorium, gymnasium and other athletic facilities and the construction of additions and improvements of a permanent nature to existing schoolhouses including auditorium, gymnasium and other athletic facilities. The amount so borrowed, raised and hired shall not be included as a part of the debt of the city in ascertaining and fixing the net debt of said city under the provisions of chapter 72 of the Revised Laws.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Malley of Somersworth for the Committee on Ways and Means to whom was referred House Bill No. 76, An Act relative to exemption from income taxes. Having considered

the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Geisel of Manchester moved that the words "ought to pass" be substituted for the report of the committee "inexpedient to legislate."

The question being on the motion to substitute.

(Discussion Ensued)

Messrs. Geisel of Manchester, Rathbone of Exeter, Sweeney of Keene and Mesdames Studley of Rochester and Morey of Hart's Location spoke in favor of the motion.

Messrs. Griffin of Lincoln, Malley of Somersworth, and Mrs. Brungot of Berlin spoke against the motion.

Mr. Rhodes of Walpole moved the previous question.

The question being:

Shall the main question now be put?

The question being on the motion to substitute.

On a *viva voce* vote the motion to substitute did not prevail.

Mr. Geisel of Manchester demanded the yeas and nays but subsequently withdrew his demand.

The question being on the resolution of the committee, "inexpedient to legislate."

On a *viva voce* vote the resolution of the committee was adopted.

Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that:

The President announced the appointment of Senator Jackson, District No. 11, as a member from the Senate to serve on the joint committee authorized by the concurrent resolution relative to extending invitation to Secretary of State for foreign service officers to visit Concord.

Resolution

On motion of Mrs. Hayes of Northumberland the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time, and that the third reading of bills be by their titles only.

Third Readings

House Bill No. 18, An Act relative to membership of the board of managers of the New Hampshire Soldiers' Home.

House Bill No. 50, An Act relative to deposits of money by credit unions in federal savings and loan associations.

House Bill No. 167, An Act relative to salaries of the mayor and councilmen of the city of Berlin.

House Bill No. 189, An Act authorizing the city of Portsmouth to raise money and to issue bonds for school purposes.

House Bill No. 197, An Act relative to authority of the director of the state veterans council to act as guardian of mentally incompetent veterans in certain cases.

House Bill No. 204, An Act relating to the powers of savings banks.

House Bill No. 350, An Act relative to the powers of the board of incorporation and management of trust companies' incorporation.

Severally read a third time and passed and sent to the Senate for concurrence.

Reconsideration

Mr. Griffin of Lincoln moved that the House reconsider its vote whereby it voted as inexpedient to legislate House Bill No. 76, An Act relative to exemption from income taxes.

On a *viva voce* vote the motion to reconsider did not prevail.

On motion of Mrs. Millar of Claremont at 1:05 o'clock the House adjourned.

FRIDAY, MARCH 13, 1953

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O God the giver of all that is good, and who hast taught us that "it is more blessed to give than to receive," help us to ever remember that not all of giving to, and sharing with, others is confined to the material blessings of life. If we have faith in Thee, help us to so live that faith that others may be

benefited by it: if we have courage to meet the hardships of life when all around us men and women have lost their courage, help us our God, to share this asset with them; if we have vision to look above the mist and the fog of the doubts of much of present day thinking, help us to so live that others may share that vision. We would ask Thee our Father to help us to realize the truth of the words of the poet:

"Love that is hoarded, moulds at last
Until we know some day
The only thing we ever have
Is what we give away.
It is the things we always hold
That we will lose some day:
The only things we ever keep
Are what we give away."

In the name of Jesus Christ *Amen.*

Leaves of Absence

Messrs. Spaulding of Hudson, Haley of Keene, and Brown of Strafford were granted leave of absence for the day on account of important business.

Mrs. Morey of Hart's Location, Messrs. Gale of Jackson and Kimball of Moultonborough were granted leaves of absence for the day on account of other legislative duties.

Introduction of Bills

The following bills and joint resolution were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Rules Committee (Mr. Wells of Newton) House Bill No. 376, An Act legalizing the annual town meeting in Fremont. To the Committee on Judiciary.

On motion of Mr. Wells of Newton the rules of the House were so far suspended as to dispense with the printing and reference to committee of House Bill No. 376, An Act legalizing the annual town meeting in Fremont, and the bill was put upon its third reading, and final passage by title only, at the present time.

The bill was read a third time and passed and was sent to the Senate for concurrence.

By Rules Committee, (Mr. McMeekin of Haverhill)

House Bill No. 377, An Act making an appropriation for capital improvements and long term repairs for the State of New Hampshire. To the Committee on Appropriations.

By Rules Committee, (Mr. Kearns of Manchester) House Joint Resolution No. 40, Joint Resolution relative to the use of the Manchester armory. To the Committee on Military and Veterans' Affairs.

On motion of Mr. Kearns of Manchester the rules of the House were so far suspended as to dispense with the printing and reference to committee of House Joint Resolution No. 40, Joint Resolution relative to the use of the Manchester armory, and the joint resolution was put upon its third reading and final passage, by caption only, at the present time.

The joint resolution was read a third time and passed and was sent to the Senate for concurrence.

Rule Change

Mr. Geisel of Manchester offered the following amendment to House Rule No. 47.

Amend House Rule 47 by inserting after the word "House" in the third line the words, Such advertisement shall state the time, date and place at which the hearing is to be held, so that said rule as amended shall read as follows:

47. A hearing shall be held upon each bill and joint resolution referred to a committee, and notice of such hearing shall be advertised at least two days in the Journal of the House. Such advertisement shall state the time, date and place at which the hearing is to be held. When requested by the President of the Senate, the Speaker may authorize and direct the appropriate House committee or committees to sit with the appropriate Senate committee or committees at a public hearing of any Senate bill and no further public hearing on such bill shall be required when such bill is subsequently received in the House from the Senate.

The amendment was referred to the Committee on Rules.

Order Vacated

On motion of Mr. Fernald of Rochester the order whereby House Joint Resolution No. 39, Joint Resolution in favor of Lovell V. Oakes was referred to the Committee on Appro-

priations was vacated and the bill was referred to the Committee on Fish and Game.

Personal Privilege

Mr. Eldredge of Exeter rose to a point of personal privilege and stated that he was responsible for the misunderstanding between the member from Campton, and the member from Bennington in their discussion relating to House Bill No. 37.

Personal Privilege

Mr. Willey of Campton rose to a point of personal privilege and thanked the member from Exeter for his statement and apologized for any misunderstanding relative to the member from Bennington.

Report of Committee on Engrossed Bills

Mrs. Landers of Keene, and Mrs. Hundley of Portsmouth for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Bills:

House Bill No. 85, An Act relating to permits for kindling fires.

House Bill No. 132, An Act relative to printing banking laws by the bank commissioner.

House Bill No. 135, An Act relating to the building of camp fires.

House Bill No. 138, An Act relative to powers of Exeter Water Department.

House Bill No. 190, An Act to increase the powers of Rivier College.

House Bill No. 149, An Act relating to petitions for adoption of minors.

House Bill No. 150, An Act relating to adoption of illegitimate children.

The report was accepted.

Mrs. Landers of Keene for the Committee on Engrossed Bills to whom was referred House Bill No. 109, An Act to provide for the allowance of a discount upon the prompt payment of legacy and succession taxes. Having considered the

same, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act repealing the provision for discount on legacy taxes and relative to disposal of legacy tax records.

On motion of Mr. Plumer of Bristol the House adopted the amendment proposed by the committee on engrossed bills.

The bill was then sent to the Senate for concurrence in the amendment.

Committee Reports

Mr. Lamson of New London for the Committee on Insurance to whom was referred House Joint Resolution No. 25, Joint Resolution relative to insurance on motor vehicles. Having considered the same, reported the same with the following amendment, and the recommendation that the Joint Resolution as amended ought to pass.

Amend the Joint Resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the governor shall appoint a committee of five members consisting of two from the insurance industry, one from the state motor vehicle department and two from the general public. This committee shall be charged with conducting a study of the automobile liability insurance laws of this and other states, and the various plans available to the insuring public. The study shall include, but shall not be limited to, consideration of the plans generally referred to as merit rating, demerit rating, compulsory insurance and unsatisfied judgment funds. If the committee concludes that the public would benefit by changes in the insurance laws of this state, it shall report its conclusions and recommendations to the Insurance Committee of the 1955 session of the general court.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Healy of Manchester Ward 6, for the Committee on Judiciary to whom was referred House Bill No. 269, An Act eliminating separate primary ballots for each political party. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Durkee of Seabrook for the Committee on Municipal and County Government to whom was referred House Bill No. 297, An Act relative to a publicly elected official receiving compensation for employment from a city department. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the word "two" in the third and tenth lines and inserting in place thereof the word, five, so that said section as amended shall read as follows:

1. *City Officials.* Amend section 3 of chapter 66 of the Revised Laws by striking out the words "is allowed" and inserting in place thereof the words, exceeds five hundred dollars per year, and by striking out the words and figures, "June 10, 1941," and inserting in place thereof the words and figures, January 20, 1953, so that said section as amended shall read as follows: 3. *Prohibition*: No publicly elected official of a city, except school district officers, who as such official is authorized to appropriate or expend public funds shall be employed during the term for which he is elected by any department, board or commission of the city in any other capacity or in any other position or employment where compensation exceeds five hundred dollars per year, except as justice or clerk of the municipal court; provided that in case any city charter, at the time that this section takes effect, provides specifically that certain elected officials may be employed in other specified employments, or positions, contrary to the provisions of this section, the provisions of said charter shall prevail. Upon the acceptance of any such prohibited employment by a publicly elected official, as prohibited herein, the elective office shall forthwith become vacant and shall be filled as provided by law. This section shall not affect any publicly elected city official in office on January 20, 1953, until the term of office for which such official has been elected expires.

The report was accepted.

The question being on the amendment.

(Discussion Ensued)

Mr. Leonard of Franklin spoke in favor of the amendment.

Mr. Foote of Portsmouth spoke against the amendment.

Mr. Pillsbury of Manchester moved that the bill with the amendment pending be laid upon the table and made a special order for Tuesday, March 17 at 11:02 o'clock.

The question being on the motion of the member from Manchester.

(Discussion Ensued)

Messrs. Pillsbury of Manchester and Fernald of Rochester spoke in favor of the motion.

On a *viva voce* vote the motion for a special order prevailed.

Mrs. Brungot of Berlin for the Special Committee consisting of the delegation from the County of Coos to whom was referred House Joint Resolution No. 26, Joint Resolution in favor of the town of Stewartstown in the county of Coos. Having considered the same, reported the same with the recommendation that the Joint Resolution ought to pass.

The report was accepted and the Joint Resolution ordered to a third reading.

Taken from the Table

House bill No. 66, An Act relative to placing or throwing obstructions onto highways and other public places.

The question being on the amendment, as printed in the Journal of March 11.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 132, An Act relative to printing banking laws by the bank commissioner.

House Bill No. 138, An Act relative to powers of Exeter Water Department.

House Bill No. 151, An Act relating to the sale of securities and defining a dealer therein.

House Bill No. 190, An Act to increase the powers of Rivier College.

The message also announced that:

The Senate had passed the following entitled bills, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 39, An Act naming the Hampton River toll bridge.

Senate Bill No. 43, An Act relating to probate licenses to sell chattels.

Senate Bills Read and Referred

Senate Bill No. 39, An Act naming the Hampton River toll bridge.

Read a first and second time and referred to the Committee on Public Works.

Senate Bill No. 43, An Act relating to probate licenses to sell chattels.

Read a first and second time and referred to the Committe on Judiciary.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their title and joint resolution by their captions only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

Third Reading

House Bill No. 66, An Act relative to placing or throwing obstructions onto highways and other public places.

House Joint Resolution No. 25, Joint Resolution relative to insurance on motor vehicles.

House Joint Resolution No. 26, Joint Resolution in favor of the town of Stewartstown in the county of Coos.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. MacDonald of Kingston at 11:58 o'clock the House adjourned.

TUESDAY, MARCH 17, 1953

The House met according to adjournment.

Prayer was offered by the Chaplain.

Almighty God unto whom all hearts are open, all desires known and from whom no secrets are hid; help us we humbly beseech Thee, to ask ourselves that question that confronted the Psalmist: "Whither shall I go from thy Spirit? or whither shall I go from thy presence?" Give us a convicting consciousness that we cannot get away from Thee, and that Thou knowest our very thoughts. Lord, how many times our actions have been motivated by what others might think of us; how many times we have said what we did, because someone was going to hear our words, and how many times we have failed to realize that the Great and Infinite God knows all and sees all. Help us to more fully understand, and feel the conviction of the fact that Thou dost fathom the deepest recesses of the soul, and dost know our thoughts before they have become words and our motives before they have been expressed in action. We ask this in the name of Jesus Christ. *Amen*

Leaves of Absence

Mr. Ingraham of Portsmouth was granted leave of absence for the day to attend a funeral.

Mr. Stockwell of Holderness was granted leave of absence for Tuesday and Wednesday on account of important business.

Messrs. Maxham of Concord, Perkins of Concord (ward 3), Mulaire of Hooksett, McAllister of Barnstead and Mrs. Holmes of Amherst and Mrs. Gardner of Gilford were granted leave of absence for the day on account of important business.

Mr. Jones of Fremont was granted leave of absence for the week on account of illness.

Introduction of Bills

The following bills and joint resolution were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Malley of Somersworth, House Bill No. 378, An Act to provide revenue for cities and towns. To the Committee on Ways and Means.

By Mr. Bouchard of Berlin, House Bill No. 379, An Act relative to the use of flashlights while hunting. To the Committee on Fish and Game.

By Mr. Brown of Loudon, House Bill No. 380, An Act relative to transportation of children to schools. To the Committee on Education.

By Mr. Bouchard of Berlin, House Bill No. 381, An Act relative to restaurant licenses for the sale of beer. To the Committee on Liquor Laws.

By Mr. Wadleigh of Milford, House Bill No. 382, An Act providing for absentee voting at primaries. To the Committee on Judiciary.

By Mr. Brown of Loudon, House Bill No. 383, An Act relative to registration of motor vehicles owned by minors. To the Committee on Transportation.

By Mr. Pillsbury of Manchester, House Bill No. 384, An Act relative to use of fees to board of nurse examiners. To the Committee on Public Health.

By Rules Committee (Mr. Faulkner of Keene) House Bill No. 385, An Act relative to sewerage system in the city of Keene. To the Delegation from the City of Keene.

By Mrs. Otis of Concord, House Joint Resolution No. 41, Joint Resolution in favor of Lawrence A. White. To the Committee on Appropriations.

By Rules Committee (Mrs. Hayes of Northumberland) House Joint Resolution No. 42, Joint Resolution in favor of the estate of Lloyd Flint. To the Committee on Appropriations.

On motion of Mr. Pillsbury of Manchester the rules were so far suspended as to dispense with the printing and reference to committee of House Joint Resolution No. 42, Joint Resolution in favor of the estate of Lloyd Flint, and that the joint resolution be put upon its third reading and final passage, by caption only, at the present time.

The joint resolution was read a third time and passed and sent to the Senate for concurrence.

Report of Committee on Engrossed Bills

Mrs. Corliss of Manchester for the Committee on Engrossed Bills reported that they had examined and found cor-

rectly engrossed the following entitled House Joint Resolution and House Bills:

House Joint Resolution No. 40, House Joint Resolution relative to the use of the Manchester armory.

House Bill No. 33, An Act relative to nonresident students at university of New Hampshire.

House Bill No. 38, An Act enlarging the powers and duties of the trustees of the state college and university.

House Bill No. 206, An Act relative to filling vacancy in office of city manager of Portsmouth.

House Bill No. 207, An Act relative to meetings of the council of Portsmouth.

House Bill No. 376, An Act legalizing the annual town meeting in Fremont.

The report was accepted.

Committee Reports

Mr. Pillsbury of Manchester for the Committee on Appropriations to whom was referred Senate Bill No. 6, An Act relating to retirement benefits. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Scamman of Stratham for the Committee on Appropriations to whom was referred Senate Joint Resolution No. 2, Joint Resolution providing for a deficiency appropriation of diagnostic laboratories. Having considered the same, reported the same with the following amendment, and the recommendation that the Joint Resolution as amended ought to pass.

Amend the joint resolution by striking out in the line the words and figures "twenty five hundred dollars ($2500)" and inserting in place thereof the following words and figures, twelve hundred dollars ($1200), so that said joint resolution as amended shall read as follows: That the sum of twelve hundred dollars ($1200) is hereby appropriated to meet a deficit in the appropriation for the health department for diagnostic laboratories, for the fiscal year ending June 30, 1953. The governor is authorized to draw his warrant for the sum herein appropriated out of any money in the treasury not otherwise appropriated.

The report was accepted the amendment adopted and the joint resolution ordered to a third reading.

Mr. Bennett of Keene for the Committee on Executive Departments and Administration to whom was referred House Bill No. 106, An Act relating to hawkers and peddlers. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Perley of Lebanon for the Committee on Executive Departments and Administration to whom was referred House Bill No. 234, An Act relative to charitable and educational donations by business corporations. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Fuller of Hanover for the Committee on Executive Departments and Administration to whom was referred House Bill No. 164, An Act relating to corporate donations to charity. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hadley of Hillsborough for the Committee on Executive Departments and Administration to whom was referred House Bill No. 266, An Act relative to the surrender of illegitimate children. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Reed of Goffstown for the Committee on Executive Departments and Administration to whom was referred House Bill No. 286, An Act relative to fees for performing a solemnization of marriage. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Perley of Lebanon for the Committee on Executive Departments and Administration to whom was referred House Bill No. 305, An Act relating to the parking of motor vehicles. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hadley of Hillsborough for the Committee on Executive Departments and Administration to whom was referred Senate Bill No. 19, An Act to enable corporations to make charitable contributions. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Comi of Concord for the Committee on Labor to whom was referred House Bill No. 246, An Act authorizing lump sum settlements and awards under the workmen's compensation law. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hancock of Concord for the Committee on Labor to whom was referred House Bill No. 251, An Act relative to building construction, demolition and repair work. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 43 of chapter 212 of the Revised Laws as inserted by section 1 of the bill by inserting after the word "scaffold" in the twenty-first, twenty-second, twenty-fifth and twenty-ninth lines the word, ladder, so that said section as amended shall read as follows:

43. *Duty of Commissioner.* The commissioner shall im-

mediately inspect a scaffold, ladder or device concerning which complaint is made. He shall attach to every scaffold, ladder or device that he inspects a certificate stating that he has made the inspection and has found the same safe or unsafe as the case may be. If unsafe, the commissioner shall at once, in writing, notify the person responsible for the scaffold, ladder or mechanical device of the fact and shall prohibit the use of it by him or by any other person until all danger is removed by alteration, reconstruction or replacement as the commissioner may direct. Such notice may be served personally upon the person responsible or by affixing it conspicuously to the scaffold, ladder or device declared unsafe.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Whittier of Bethlehem for the Committee on Transportation to whom was referred House Bill No. 263, An Act relative to registration of farm trucks. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Perkins of Concord, Ward 3, for the Special Committee consisting of the delegation from the City of Concord, to whom was referred House Bill No. 61, An Act relative to the salary of the special justice of the municipal court of Concord and per diem for justices of the peace. Having considered the same, reported the same with the following admendment, and the recommendation that the bill as amended ought to pass.

Amend the title of the bill by striking out the words "and per diem for justices of the peace" so that said title as amended shall read as follows:

An act relative to the salary of the special justice of the municipal court of Concord.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Concord Municipal Court.* Amend section 4 of chapter 377 of the Revised Laws, as amended by chapters 179 and 260 of the Laws of 1947, by inserting after the word "capacity" in the seventh line the words, except in Concord the remuneration shall be five dollars, and by striking out in the tenth and

eleventh lines the words "five hundred" and inserting in place thereof the words, one thousand, so that said section as amended shall read as follows: 4. *Compensation of Special Justices.* The special justice and justice of the peace requested to sit owing to the disqualification of the justice and special justice shall be paid, from the treasury of the city or town wherein said court is located, three dollars a day for each day or part thereof that he shall serve in said capacity; except in Concord the remuneration shall be five dollars; provided, that the annual salaries of the special justices of the municipal courts of the following cities and town shall be as follows, of Manchester eighteen hundred dollars, of Nashua fifteen hundred dollars, of Concord one thousand dollars, of Portsmouth four hundred dollars, of Laconia two hundred dollars, and of Hampton one hundred and fifty dollars, to be paid by said cities and town, respectively, quarterly, and shall be in lieu of any other compensation or fees to such justices.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Gauthier of Manchester for the Special Committee consisting of the delegation from the County of Hillsborough to whom was referred House Bill No. 101, An Act relative to the salaries of the Hillsborough county commissioners. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Saidel of Manchester for the Special Committee consisting of the delegation from the County of Hillsborough to whom was referred House Bill No. 210, An Act relative to the salary of the solicitor of Hillsborough county. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Danforth of Manchester offered the following amendment:

Amend section 1 of the bill by striking out in the sixth line and fourteenth lines the word "thirty-eight" and inserting in place thereof the word, thirty-three, so that said section as amended shall read as follows:

1. *Salary of Solicitor of Hillsborough County.* Amend section 20 of chapter 24 of the Revised Laws as amended by chapters 40 and 136 of the Laws of 1953, chapters 2, 27, 202, 213, 242, 263, 268, and 270 of the Laws of 1947, and by chapter 183, Laws of 1949, by striking out the word "twenty-eight" in the sixth line and inserting in place thereof the word thirty-three, so said section as amended shall read as follows: 20. *Salaries.* The annual salaries of the solicitors in the several counties shall be as follows:

In Rockingham, eighteen hundred dollars,
In Strafford, eighteen hundred dollars,
In Belknap, fifteen hundred dollars,
In Carroll, twelve hundred dollars,
In Merrimack, two thousand dollars,
In Hillsborough, thirty-three hundred dollars,
In Cheshire, fifteen hundred dollars,
In Sullivan, fifteen hundred dollars,
In Grafton, eighteen hundred dollars,
In Coos, eighteen hundred dollars.

The question being on the amendment.

(Discussion Ensued)

Mr. Danforth of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Eastman of Kensington for the Committee on Judiciary to whom was referred House Bill No. 186, An Act relative to probate courts. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The Undersigned, a minority of the Committee on Judiciary to whom was referred House Bill No. 186, An Act relative to probate courts. Having considered the same, and being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

MYER SAIDEL,
A Minority of the Committee.

The reports were accepted.

Mr. Saidel of Manchester moved that the minority report ought to pass be substituted for that of the majority report inexpedient to legislate.

The question being on the motion to substitute.

(Discussion Ensued)

Mr. Saidel of Manchester spoke in favor of the motion to substitute.

Mr. Eastman of Kensington spoke against the motion to substitute.

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Hadley of Hillsborough for the Committee on Executive Departments and Administration to whom was referred House Bill No. 122, An Act relative to special motor vehicle plates. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Executive Departments and Administration to whom was referred House Bill No. 122, An Act relative to special motor vehicle plates. Having considered the same and being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

JOHN R. POWELL
GEORGE E. LONGCHAMPS
ROBERT H. TEMPLE
MAUDE B. RICHARDS
IDA M. HORNER
A Minority of the Committee.

The reports were accepted.

Mr. Powell of Sutton moved that the minority report ought to pass be substituted for the report of the majority inexpedient to legislate.

The question being on the motion to substitute.

(Discussion Ensued)

Messrs. Powell of Sutton, Whittier of Bethlehem, Longchamps of Littleton and Mesdames Richards of Exeter and Brungot of Berlin spoke in favor of the motion to substitute.

Messrs. Rainie and Hayes of Concord spoke against the motion to substitute.

Mr. Corbett of Concord moved the previous question.

The question being:

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

On a *viva voce* vote the motion to substitute prevailed.

Mr. Rainie of Concord called for a division.

A division being had 235 members having voted in the affirmative and 55 members having voted in the negative, the motion to substitute prevailed.

Mr. Whittier of Bethlehem offered the following amendment.

Amend section 1 of the bill by striking out in the sixth line the words "members of the senate"; further amend by inserting at the end of the seventh line the words, "senate and," so that said section as amended shall read as follows:

1. *Motor Vehicle Registration.* Amend chapter 116, Revised Laws, by inserting after section 7 the following new section: 7-a. *Special Number Plates.* Upon purchase of motor vehicle registration, the motor vehicle commissioner shall issue a special plate, to be designaeed by him, to the governor, to the members of the governor's council, president of the senate, and speaker of the house of representatives; and special tags to be sold and attached to the usual license plate to members of the senate and house of representatives.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted, and the bill was ordered to a third reading.

On motion of Mr. Spaulding of Hudson the rules were so far suspended as to allow the third reading of House Bill No. 122, An Act relative to special motor vehicle plates, and final passage at the present time, by title only.

The bill was read a third time and passed and was sent to the Senate for concurrence.

Reconsideration

Mr. Spaulding of Hudson moved that the House reconsider its vote whereby the House voted to pass House Bill No. 122, An Act relative to special motor vehicle plates.

On a *viva voce* vote the motion to reconsider did not prevail.

Special Order

Mr. Eldredge of Exeter called for the special order of business for 11:01 o'clock, it being House Bill No. 37, An Act providing for the reimbursement of towns and cities for veterans tax exemptions.

Mr. Willey of Campton moved that the minority report inexpedient to legislate be substituted for the report of the majority ought to pass.

The question being on the motion to substitute the minority report inexpedient to legislate for the report of the majority, ought to pass.

(Discussion Ensued)

Messrs Willey of Campton, Chase of Dover, Barry of Wilton, Perley of Lebanon, Metcalf of Tilton, and Powell of Sutton spoke in favor of the motion to substitute.

Messrs. Eldredge of Exeter, Black of Bennington, and Geisel of Manchester spoke against the motion to substitute.

Mr. Peever of Salem moved the previous question.

The question being:

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

On a *viva voce* vote the motion to substitute the minority report prevailed.

The question being on the resolution of the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Special Order

Mr. Pillsbury of Manchester called for the special order for 11:02 o'clock it being House Bill No. 297, An Act relative to a publicly elected official receiving compensation for employment from a city department.

The question being on the amendment, as printed in journal for March 13.

Mr. Thomas of Dublin moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion Ensued)

Messrs. Thomas of Dublin and Faulkner of Keene spoke in favor of the motion.

On a *viva voce* vote the motion to indefinitely postpone prevailed.

Senate Message

A message sent down from the Honorable Senate, by its clerk, announced that:

The Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 151, An Act relating to the sale of securities and defining a dealer therein.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1. *Sale of Securities.* Amend section 1 of chapter 336 of the Revised Laws, as amended by chapter 30, Laws of 1947, by inserting before the word "selling" in the third line the word, purchasing, and by inserting before the word "sales" in the twelfth line the words, purchases and, so that said section as amended shall read as follows:

On motion of Mr. Rainie of Concord the House concurred in the adoption of the amendments proposed by the committee on engrossed bill.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 68, An Act relative to the salary of the solicitor of Rockingham County.

Amend section 1 of the bill by striking out in line 7 the word "shall" and substituting in place thereof the word, may,

Further amend said section by adding at the end thereof the words, and such other sums as the said Counties may pay. So that said section as amended will read as follows:

1. *Salary of Solicitor of Rockingham County.* Amend section 20 of chapter 24 of the Revised Laws, as amended by chapters 40 and 136 of the Laws of 1943, and by chapters 2, 27, 202, 213, 242, 263, 268 and 270 of the Laws of 1947, and by chapter 183, Laws of 1949, by striking out the word, eighteen, in the third line and inserting in place thereof the word, twenty-two, so that said section as amended shall read as follows: 20. *Salaries.* The annual salaries of the solicitors in the several counties may be as follows:

In Rockingham, twenty-two hundred dollars.
In Strafford, eighteen hundred dollars.
In Belknap, fifteen hundred dollars.
In Carroll, twelve hundred dollars.
In Merrimack, two thousand dollars.
In Hillsborough, twenty-eight hundred dollars.
In Cheshire, fifteen hundred dollars.
In Sullivan, fifteen hundred dollars.
In Grafton, eighteen hundred dollars.
In Coos, eighteen hundred dollars.
And such other sums as the said Counties may pay.

Mr. Pillsbury of Manchester moved that the House nonconcur in the adoption of the amendments sent down from the Honorable Senate, and that a committee of conference be appointed.

On a *viva voce* vote the motion prevailed.

Committee of Conference Appointed

The Speaker appointed as members of such committee on the part of the House Messrs. Wells of Newton, Philbrick of Rye and Eastman of Kensington.

House Bill No. 24, An Act relative to escapes from places of lawful confinement.

Amend the bill by striking out sections 1 and 2 of the bill and substituting in place thereof the following new sections:

1. *Escapes from places of lawful confinement.* Amend section 8-a, chapter 457 of the Revised Laws, as inserted by section 1, chapter 208, Laws of 1951, by inserting after the word "prison" in the second line the words, houses of correction, and Industrial School by striking out the words "not less than thirty days and" so that said section as amended shall read as follows: 8-a. *Penalty.* Whoever, being lawfully detained in any jail or other place of confinement, except the state prison, houses of correction and the Industrial School breaks or escapes therefrom, or attempts to do so, shall be punished by imprisonment or confinement for not more than three years; the sentence to such imprisonment or confinement shall not be concurrent with any other sentence then being served or thereafter to be imposed upon such escapee.

2. *Houses of Correction and Industrial School, Escapes Therefrom.* Amend chapter 462 of the Revised Laws by inserting after section 8 the following new section: 9. *Penalty.* If any offender shall escape from a house of correction or the Industrial School he shall be punished by confinement therein for not more than twelve months in addition to the time for which he was first committed.

On motion of Mr. Wells of Newton the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 159, An Act relating to the crossing of public lands and waters by utilities and others.

Amend section 1 of the bill by adding after the word "line" in the sixth line the word, cable, so that said section as amended shall read as follows:

1. *Public Waters.* Amend section 16 of chapter 294 of the Revised Laws, as amended by section 48 of chapter 203 of the Laws of 1951 (section 17) by striking out said section and inserting in place thereof the following: 17. *Petition.* When-

ever it is necessary, in order to meet the reasonable requirements of service to the public, that any public utility should construct a pipe line, cable, or conduit, or a line of poles or towers and wires and fixtures thereon, over, under or across any of the public waters of this state, or over, under or across any of the land owned by this state, it shall petition the commission for a license to construct and maintain the same. For the purposes of this section, public waters are defined to be all ponds of more than ten acres, tidewater bodies, and such streams or portions thereof as the commission may prescribe. Every corporation and individual desiring to cross any public water or land for any purpose herein defined shall petition the commission for a license in the same manner prescribed for a public utility.

On motion of Mrs. Atkins of Hanover the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 192, An Act relative to courses of study in schools relative to physical education and the safe use of firearms.

Amend section 1 of said bill by striking out said section and inserting in place thereof, the following: 1. *Schools.* Amend chapter 138 of the Revised Laws by inserting after section 16 the following new section: 16-a. *Use of firearms.* A school district may include instruction in the safe and proper use of firearms including instruction in game laws and good hunting practices, and may raise and appropriate money for said purposes.

On motion of Mr. Plumer of Bristol the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution sent up from the House of Representatives:

House Bill No. 56, An Act relating to licenses under fish and game laws.

House Bill No. 33, An Act relative to non-resident students at university of New Hampshire.

House Bill No. 38, An Act enlarging the powers and duties of the trustees of the state college and university.

House Bill No. 157, An Act relative to taxes on marine underwriting profits.

House Bill No. 206, An Act relative to filling vacancy in office of city manager of Portsmouth.

House Bill No. 207, An Act relative to meetings of the council of Portsmouth.

House Joint Resolution No. 40, Joint Resolution relative to the use of the Manchester Armory.

The message also announced that:

The Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 8, An Act relative to discrimination in places of public accommodations, resort or amusement.

Senate Bill No. 28, An Act relative to disposition of moneys collected from license fees and fines for taking lobsters and crabs.

Senate Bill No. 37, An Act relating to the entry and other fees in superior court.

Senate Bills Read and Referred

Senate Bill No. 8, An Act relating to discrimination in places of public accommodations, resort or amusement.

Senate Bill No. 37, An Act relating to the entry and other fees in superior court.

Severally read a first and second time and referred to the committee on Judiciary.

Senate Bill No. 28, An Act relative to disposition of moneys collected from license fees and fines for taking lobsters and crabs.

Read a first and second time and referred to the committee on Fish and Game.

Resolutions

Mr. Hambleton of Goffstown offered the following resolution:

Whereas, We have learned of the death of Chester W. French, present and former Representative from Weare, and

Whereas, Mr. French served as Tax Collector of Weare for eighteen years and was a Past President of the New Hampshire Tax Collectors' Association, therefore be it

Resolved, That we, the Members of the House of Representatives, pay tribute to our former associate for his distinctive public service, and be it further

Resolved, That we extend our heartfelt sympathy to his family in its bereavement and that the Clerk of the House send a copy of these resolutions to Mrs. French, and be it further

Resolved, That when the House adjourns today, it be in memory of Chester W. French.

On a rising vote the resolution was unanimously adopted.

Personal Privilege

Mr. Malley of Somersworth rose to a point of personal privilege and stated his position for having introduced House Bill No. 378, An Act to provide revenues for cities and towns, with no intention of embarassing His Excellency the Governor as reported in the press.

Reconsideration

Mr. Chase of Dover moved that the House reconsider its vote whereby it voted inexpedient to legislate House Bill No. 37, An Act providing for the reimbursement of towns and cities for veterans tax exemptions.

On a *viva voce* vote the motion to reconsider did not prevail.

Resolution

On motion of Mrs. Hayward of Hanover the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles and joint resolutions by their captions only.

Third Readings

House Bill No. 61, An Act relative to the salary of the special justice of the municipal court of Concord and per diem for justices of the peace.

House Bill No. 101, An Act relative to the salaries of the Hillsborough County Commissioners.

House Bill No. 210, An Act relative to the salary of the solicitor of Hillsborough county.

House Bill No. 234, An Act relating to charitable and educational donations by business corporations.

House Bill No. 251, An Act relative to building construction, demolition and Repair Work.

House Bill No. 263, An Act relative to registration of farm trucks.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 6, An Act relating to retirement benefits.

Read a third time and passed and sent to the Secretary of State to be engrossed.

Senate Joint Resolution No. 2, Joint Resolution providing for a deficiency appropriation of diagnostic laboratories.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

On motion of Mrs. Fontaine of Berlin at 2:33 o'clock the House adjourned.

WEDNESDAY, MARCH 18, 1953

The House met at 11:00 o'clock.

Prayer was offered by the chaplain.

O God the Creator and Preserver of all mankind, and who are interested in all Thy children everywhere, and in all their activities; we most humbly and sincerely ask Thee to remember us who constitute this legislative body. We have come here from different parts of our state — from the city and from the farm; we have come from different interests and occupations; we have come here with different gifts and abili-

ties; but, our Father, as men and women with a definite and positive sense of responsibility, may one thought, and that the welfare of our state, dominate our actions, that we may put our talents, many or few as they be, on the altar of our beloved commonwealth, and thus may our Lord find full fruition in our labors as legislators. Give us wisdom to know the right, and strength to perform it. In the name of Jesus Christ our Lord. *Amen*

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Rules Committee (Mr. Wells of Newton) House Bill No. 386, An Act relative to the parole of prisoners. To the Committee on Judiciary.

By Rules Committee (Mr. Smith of Meredith) House Bill No. 387, An Act relative to the sewer system in the town of Meredith. To the Committee on Municipal and County Government.

Mr. Smith of Meredith moved that the rules be so far suspended as to dispense with the printing and reference to committee of House Bill No. 387, An Act relative to the sewer system in the town of Meredith, and that the bill be put upon its third reading and final passage by title only, at the present time.

The question being on the motion offered by the member from Meredith.

(Discussion Ensued)

Mr. Smith of Meredith spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The bill was then read a third time and passed and sent to the Senate for concurrence.

By Mr. Converse of Claremont, House Bill No. 388, An Act relative to radio and television interference. To the Committee on Judiciary.

By Messrs. Oakes of Columbia, Sargent of Danbury, Gamsby of Sunapee, Anderson of Warren, House Bill No. 389, An Act relating to taxation of growing wood and timber, providing for forest conservation and repealing the present timber

tax law, so called. To the Committee on Resources, Recreation and Development.

Order Vacated

Mr. McMeekin of Haverhill moved that the order whereby House Bill No. 357, An Act relative to forest conservation and taxation, and House Bill No. 389, An Act relating to taxation of growing wood and timber, providing for forest conservation and repealing the present timber tax law, so called, were referred to the Committee on Resources, Recreation and Development be vacated and that they be referred to the Joint Committee on Resources, Recreation, and Development, and Ways and Means.

The question being on the motion to vacate.

(Discussion Ensued)

Messrs. McMeekin of Haverhill and Dort of Chesterfield spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

By Rules Committee (Mr. Spaulding of Hudson) House Bill No. 390, An Act to amend the Charter of the City of Nashua. To the Delegation from the City of Nashua.

Personal Privilege

Mr. Pillsbury of Manchester rose to a point of personal privilege and stated his position in voting in Rules Committee against the introduction of House Bill No. 390, An Act to amend the charter of the city of Nashua, without petition of the Nashua delegation.

Mr. Kearns of Manchester, Mr. Barry of Wilton and Mr. Spaulding of Hudson rose to a point of personal privilege and stated their positions in voting in Rules Committee for the introduction of House Bill No. 390, An Act to amend the charter of the city of Nashua.

By Mr. Philbrick of Rye, House Bill No. 391, An Act legalizing certain elections in the town of Rye. To the Committee on Municipal and County Government.

On motion of Mr. Philbrick of Rye the rules were so far suspended as to dispense with the printing and reference to committee of House Bill No. 391, An Act legalizing certain elections in the town of Rye, and the bill was put upon its

third reading and final passage, by title only, at the present time.

Read a third time and passed and sent to the Senate for concurrence.

Report of Committee on Engrossed Bills

Mr. Hyde of Andover for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Bills:

House Bill No. 109, An Act repealing the provisions for discount on legacy taxes and relative to disposal of legacy tax records.

House Bill No. 157, An Act relative to taxes on marine underwriting profits.

House Bill No. 221, An Act legalizing the election in the town of New Durham.

House Bill No. 224, An Act relative to the East Northwood Cemetery Association.

The report was accepted.

Committee Reports

Mr. Angus of Claremont for the Committee on Labor to whom was referred House Bill No. 220, An Act relative to unemployment compensation merit rating. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Whittier of Bethlehem for the Joint Committee on Transportation, and Labor to whom was referred House Bill No. 273, An Act to provide for the installation of windshields, tops, and head and rear lights on track motor cars operated by railroads. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Foote of Portsmouth for the Committee on Liquor Laws to whom was referred House Bill No. 306, An Act relative to the local option question as to sale of beer in cities and

towns. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Hodgdon of Tuftonboro for the Special Committee consisting of the delegation from the county of Carroll to whom was referred House Bill No. 348, An Act relative to the salary for county commissioners of Carroll county. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Waterhouse of Windham for the Committe on Ways and Means to whom was referred House Bill No. 133, An Act authorizing the licensing of greyhound races on which pari mutuel system of wagering shall be permitted. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Angus of Claremont moved that the words "ought to pass" be substituted for the report of the Committee inexpedient to legislate.

The question being on the motion to substitute.

(Discussion Ensued)

Messrs. Angus of Claremont, Spaulding of Hudson, Blake of Swanzey, and Mesdames Brungot of Berlin and Delude of Unity, spoke in favor of the motion to substitute.

Messrs. Sherwin of Rindge, English of Hancock, Ashley of Lebanon, Plumer of Bristol, Jones of Lebanon, Reed of Goffstown, Lessels of Concord and Griffin of Lincoln spoke against the motion to substitute.

Mr. Peever of Salem moved the previous question.

The question being:

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the words "ought to pass."

Mr. Waling of Keene demanded the yeas and nays and the roll was called with the following result.

Roll Call

Yeas—108

CHESHIRE COUNTY: Burnham, Malony, Clark of Harrisville, Belletete, Sweeney of Keene, Waling, Blake, Lang of Troy.

SULLIVAN COUNTY: Angus, Howe, Firestone, Nahil, Marcotte of Claremont, Stone, Davis of Cornish, DeLude.

GRAFTON COUNTY: Chamberlin of Bath, Whittier, Eggleston, Brown of Easton, Lorden, Peabody, Fox, Gardner of Littleton, Longchamps.

COOS COUNTY: Dussault, Hinchey, Moffett, Brungot, Fontaine, Theriault, Oakes, Robinson, Potter, Hayes, Weeks of Stewartstown, Stinson.

ROCKINGHAM COUNTY: Barka, Cushing, Pinkham, Barrett, Hundley, Payette, Foote, Murch, Joyce, Wardwell.

STRAFFORD COUNTY: Chase, Leighton, Flanagan, Littlehale, Stearns, Blanchard, Carignan, Lacasse, Lagueux, Letourneau, Charpentier.

BELKNAP COUNTY: Stafford, Morin, Simoneau.

CARROLL COUNTY: Mudgett, Peaslee of Wakefield.

MERRIMACK COUNTY: Dodge, Ferrin, Hayes, Comi, Burke, Thompson of Franklin, DuDevoir, Lamson, Payeur, Thibeault.

HILLSBOROUGH COUNTY: Black, Hambleton, Fortin, Spaulding, Warren, Soucy of Manchester, ward 1, Geisel, Connor, Horan, Martel, Sullivan, Kean, Smith of Manchester, Callahan, Clancy, Healy of Manchester, Ward 6, Paradis, Tessier, Constant, Delisle, Langlois, O'Neil, Lareau, Soucy of Manchester, ward 12, Thibodeau, Boire, Belcourt, Brosnahan, Ryan, Sweeney of Nashua, Pelletier, Bouthillier, Dumais, Mailloux, Barry.

Nays—249

CHESHIRE COUNTY: Dort, Thomas, Maynard of Fitzwilliam, Spofford, Haley, Kirk, Landers, Wheeler, Bennett, Heald, Codding, Faulkner, Barton, Carlton, Sherwin, Kershaw, Billings, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Frizzell, Converse, Millar, Smith of

Langdon, Wirkkala, Holden of Newport, Perry, Roe, Vaughan, Jordan, Metcalf of Springfield.

GRAFTON COUNTY: Gingras, Plumer, Willey, Williams, Atkins, Fuller, Hayward, Holden of Hanover, McMeekin, Sleeper, Adams of Lebanon, Ashley, Cole, Jones, Fred of Lebanon, Jones, Victor of Lebanon, Perley, Griffin of Lincoln, Martin, Dixon, Carr, Howard, Bell of Plymouth, Loizeaux, Barney, Horner, Anderson, Woodward, Sawyer.

COOS COUNTY: Henderson, Sheridan, Christiansen, Bouchard, Alls, Emerson, Ross, Kimball of Jefferson, Simonds, Swett, Hilliard.

ROCKINGHAM COUNTY: Brock, Griffin of Auburn, Dudley, Wastcoat, Hazelton, Clark of Derry, Hepworth, Ladd, Eldredge, Rathbone, Richards, Weeks of Greenland, Spollett, Merrill of Hampton, Ring, Thurlow, MacDonald, Eastman, Parmenter, McCaffrey, Sheehy, Labranche, Sewall, Wells, Carter, McDaniel, Seel, Sadler, Yeaton, Smart, Ingraham, Mafera, Philbrick, Haigh, Peever, Waterhouse.

STRAFFORD COUNTY: Swain, Grimes, Marcotte of Dover, Fellows, Webb, Connell, Crandall, Funkhouser, Wormhood, Rolfe, Maxfield, Nelson, St. Pierre, Studley, Clement, Fernald, Green of Rollinsford, Malley, Brown of Strafford.

BELKNAP COUNTY: McAllister, Roeder, Nichols, Gardner of Gilford, Robertson, Hart, Tilton of Laconia, Hoyt, Karagianis, Burbank, Brown of Laconia, Varrell, Kipp, Matthews, Atwood, Metcalf of Tilton.

CARROLL COUNTY: Washburn, Benson, Downs, Morey, Gale, Kimball of Moultonborough, Diffenderfer, Hodge, Nickerson, Hodgdon, Clow, Ford.

MERRIMACK COUNTY: Baron, Hyde, Flanders, Moore, Vogel, Marden, Tebbetts, Perkins of Concord, ward 3, Hancock, Otis, Lessels, Corbett, Jewett, Rainie of Concord, Saltmarsh, Bunten, Cilley, Maxham, Walker of Concord, Mahoney, Nawn, Mendenhall, Sargent, Nutter, Broadhurst, Douphinette, Leonard, Patenaude, Mulaire, Davis of Hopkinton, Brown of Loudon, Wilman, Ferguson, Young, Powell, Youmans.

HILLSBOROUGH COUNTY: Robinson, Wiggin, Farwell, Jennings, Poore, Reed of Goffstown, English, Hadley, Goodwin of Hudson, Reid of Litchfield, Corliss, Lang of Manchester, Cain, Danforth, Pillsbury, Robb, Fitzgerald, Nolan, Betley, Healy of Manchester, ward 5, Hurley, Shea of Manchester,

Casey, Ecker, Genest, Cary, Auger, Bergeron, Kearns, McCarthy, Roche, Attalla, Vaillancourt, Chapdelaine, Dupont, Gauthier, Lesmerises, Cannon, Donnelly, Peaslee of Merrimack, Deans, Falconer, Wadleigh, Colburn, Cooper, Ramsdell, Temple, Morrissette, Ayers, Maynard of Nashua, Pappagianis, Dionne, Shea of Nashua, Chartrain, Dugas, Dutilly, Grandmaison, Locke of New Boston, Thompson of New Ipswich, Cummings, Dutton.

Pairs

Mr. Killeen of Walpole voting YES paired with Mr. Rhodes of Walpole voting No.

And the motion to substitute did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Reconsideration

Mr. Griffin moved that the House reconsider its vote whereby it voted as inexpedient to legislate:

House Bill No. 133, An Act authorizing the licensing of greyhound races on which pari mutuel system of wagering shall be permitted.

On a *viva voce* vote the motion to reconsider did not prevail.

Mr. Waterhouse of Windham for the Committee on Ways and Means to whom was referred House Bill No. 166, An Act to legalize dog racing in New Hampshire and to establish a state dog racing commission. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The Minority of the Committee on Ways and Means to whom was referred House Bill No. 166, An Act to legalize dog racing in New Hampshire and to establish a state dog racing commission. Having considered the same, and being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

CHARLES H. LOCKE,
A minority of the Committee

Mr. Chase of Dover moved that the report of the minority of the Committee be substituted for the report of the majority.

The question being on the motion to substitute.

(Discussion Ensued)

Mr. Chase of Dover spoke in favor of the motion to substitute.

Mr. Cole of Lebanon moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion Ensued)

Mr. Cole of Lebanon and Mrs. Funkhouser of Durham spoke in favor of the motion.

On a *viva voce* vote the motion to indefinitely postpone prevailed.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 109, An Act repealing the provision for discount on legacy taxes and relative to disposal of legacy tax records.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution sent up from the House of Representatives:

House Bill No. 47, An Act relative to the term of office of certain assistant election officials.

House Bill No. 221, An Act legalizing the election in the town of New Durham.

House Bill No. 224, An Act relative to the East Northwood Cemetery Association.

House Joint Resolution No. 12, Joint Resolution relative to abatement of certain franchise taxes against certain telephone companies.

The message also announced that:

The Senate concurred with the House of Representatives

in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 122, An Act relative to special motor vehicle plates.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Motor Vehicle Registration.* Amend chapter 116, Revised Laws, by inserting after section 7 the following new section: 7a. *Special Number Plates.* Upon purchase of motor vehicle registration, the motor vehicle commissioner shall issue a special plate, to be designated by him, to the governor, to the members of the governor's council, president of the senate, members of the senate, and speaker of the house of representatives; and special tags to be attached to the usual license plate to members of the house of representatives. All special plates for members of the general court shall be sold at no expense to the state.

Mr. Whittier of Bethlehem moved that the House concur in the amendment sent down from the Honorable Senate.

The question being on the motion to concur.

(Discussion Ensued)

Mr. Pillsbury of Manchester, and Spaulding of Hudson spoke in favor of the motion.

Mr. Kearns of Manchester spoke against the motion.

On a *viva voce* vote the motion to concur did not prevail.

Mr. Whittier of Bethlehem moved that the House nonconcur in the amendments sent down from the Honorable Senate and that a committee of conference be appointed.

On a *viva voce* vote the motion prevailed.

Committee of Conference Appointed

The Speaker appointed as members of such committee on the part of the House, Messrs. Whittier of Bethlehem, Youmans of Warner and Kearns of Manchester.

Qualified

Mr. Potter of Milan having qualified before his Excellency the Governor, then appeared and took his seat as a member of the House, Tuesday, March 17.

Resolution

On motion of Mrs. Hundley of Portsmouth the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles only.

Third Readings

House Bill No. 273, An Act to provide for the installation of windshields, tops, and head and rear lights on track motor cars operated by railroads.

House Bill No. 306, An Act relative to the local option question as to sale of beer in cities and towns.

House Bill No. 348, An Act relative to the salary for county commissioners of Carroll county.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Lareau of Manchester at 2:02 o'clock the House adjourned.

THURSDAY, MARCH 19, 1953

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Almighty God, Thou God of justice, peace and righteousness; as we behold in this topsy-turvy world the conflicting philosophies and ideologies that so strongly determine the actions of men and women, as we come face to face not infrequently with expediency above right and physical might over what is morally just; we beseech Thee to help us to more fully sense the need of a power that is greater than the sword, a wealth that is richer than that designated by the dollar sign and a statesmanship that is bigger than mere partisanship.

May we fervently make the words of the poet our prayer:

"O God and Father of us all,
Lift from this world its darkening pall;
Forgive our madness, sin and strife,
Turn our goals from death to life.

Create in us a zeal for right,
Help us share our Candle's light,
Impel our hearts to seek Thy Way,
Guide us to peace, O God, we pray."

Amen

Leaves of Absence

Messrs. Maxham of Concord, and Freeman of Nashua were granted leave of absence for the day on account of important business.

Mr. Walker of Concord was granted leave of absence for the day on account of attending a funeral.

Mr. Holden of Newington was granted leave of absence for an indefinite period on account of important business.

Concurrent Resolution

Mr. Geisel of Manchester offered the following concurrent resolution:

Resolved:

On behalf of the Governor of the State of New Hampshire, and of the people of this state, we the members of the House of Representatives and of the Senate in General Court convened,

Extend to DWIGHT D. EISENHOWER, President of the United States, a most cordial invitation to come to New Hampshire and establish here a summer White House.

We have mountains, fields and forests, lakes and streams, and can assure the President of excellen facilities for golf, fishing and other recreational opportunities.

New Hampshire is a wonderful state, and the President would find here all the elements necessary for healthful recreation during the summer months.

The Secretary of State is directed to forward a copy of this resolution to the President of the United States.

On a *viva voce* vote the concurrent resolution was adopted and sent to the Senate for concurrence.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Attalla of Manchester, House Bill No. 392, An Act relative to a merit and demerit insurance plan for private passenger automobiles. To the Committee on Insurance.

By Mr. Robb of Manchester, House Bill No. 393, An Act relative to motor vehicle operators occupational licenses. To the Committee on Judiciary.

By Mr. Heald of Keene, House Bill No. 394, An Act providing primary elections for the city of Keene. To the Delegation from the city of Keene.

By Mr. Malley of Somersworth, House Bill No. 395, An act relating to historical markers. To the Joint Committee on Resources, Recreation and Development, and Public Works.

By Mr. Cummings of Peterboro, House Bill No. 396, An Act relative to bonded indebtedness of the town of Peterboro for water works. To the Committee on Municipal and County Government.

On motion of Mr. Cummings of Peterborough the rules were so far suspended as to dispense with the printing and reference to Committee of House Bill No. 396, An Act relative to bonded indebtedness of the town of Peterborough for water works, and the bill was put upon its third reading and final passage, by title only, at the present time.

Read a third time and passed and sent to the Senate for concurrence.

By Mrs. Payette of Portsmouth, House Bill No. 397, An Act relative to washing of all bottles before being returned to stores. To the Committee on Public Health.

By Mr. Kearns of Manchester, House Bill No. 398, An Act relative to display of price lists in barber shops and school. To the Committee on Public Health.

Committee Reports

Mr. Ladd of Epping for the Committee on Agriculture to whom was referred House Bill No. 255, An Act relative to the diseases of domestic animals. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate. Subject matter covered by existing legislation.

The report was accepted and the resolution of the committee adopted.

Mr. Scamman of Stratham for the Committee on Appropriations to whom was referred House Joint Resolution No. 35, Joint Resolution in favor of Cora Shares. Having considered the same, reported the same with the recommendation that the Joint Resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mrs. Hundley of Portsmouth for the Committee on Education to whom was referred House Bill No. 313, An Act relative to the so-called state aid formula. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Young of Pittsfield for the Committee on Education to whom was referred House Bill No. 317, An Act relative to rights of retired teachers. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by adding at the end thereof the following, Provided further that deductions from retirement benefits shall be made, if requested by teachers presently receiving such benefits who transfer an existing direct pay membership or subscribe as a new member for such insurance plan, if permitted by regulations of such plan, so that said section, as amended, shall read as follows:

1. *Teachers Retirement System.* Amend chapter 136-B, Revised Laws, as inserted by chapter 6, Laws of 1950, by inserting at the end of section 12 the following new paragraph: VI. *Authorized Deductions.* Notwithstanding any other provisions of this chapter, any member who makes application for benefits hereunder and who is at the time a member of so called Blue-Cross-Blue-Shield insurance plan may request that the monthly payments for such insurance be deducted from the benefit payments which he is to receive, and in such case said deduction shall be made from the sums due the member. Provided further that deductions from retirement benefits shall be made, if requested by teachers presently receiving such benefits who transfer an existing direct pay membership or subscribe as a new member for such insurance plan, if permitted by regulations of such plan.

The report was accepted.

The question being on the amendment.

(Discussion Ensued)

Mr. Vaughan of Newport spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 147, An Act relaative to the posting of land. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Trespass.* Amend section 14-a of chapter 442 of the Revised Laws as inserted by section 2, chapter 171 of the Laws of 1951, by striking out said section and inserting in place thereof the following: 14-a. *Penalty.* Whoever without right enters upon the cultivated land of another which has been posted with notices as described in section 14-b, or, when carrying firearms, enters upon land within two hundred yards of an inhabited dwelling in a remote place surrounded by woods which has been marked with notices as also provided in section 14-b, shall be fined not more than fifty dollars or imprisoned not more than six months, or both.

2. *Isolated Dwellings.* Amend section 14-b of chapter 442 of the Revised Laws, as inserted by section 2, chapter 171 of the Laws of 1951, by striking out said section and inserting in place thereof the following: 14-b. *Notices.* The notices referred to in section 14-a shall conform to the following requirements: Posting notices shall be of durable material with the words NO HUNTING or TRESPASSING, printed with block letters not less than two inches in height, and shall contain also the name and address of the owner or lessee of such land. Such signs shall be not more than one hundred yards apart and shall be posted also at the gates, bars and commonly used entrances. Notices on land within two hundred yards of an inhabited dwelling in a remote place surrounded by woods shall be placed as provided for posting notices herein and shall read NO HUNTING, NO TRESPASSING, OC-

CUPIED DWELLING WITHIN 200 YARDS and shall contain the name and address of the owner or lessee.

4. *Cultivated Land.* Amend section 14-c of chapter 442 of the Revised Laws as inserted by section 2, chapter 171 of the Laws of 1951, by striking out the word "cleared" in the second and third lines so that said section as amended shall read as follows: 14-c. *Definition.* Cultivated land within the meaning of this chapter is defined as land from which an annual crop is taken, orchards, land upon which domestic animals annually graze and land which is either burned or cut over once in every two years.

4. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment laid upon the table under the rules.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 240, An Act relative to the extension of the trapping season in Sullivan County. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 291, An Act providing for a bounty on fox. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 298, An Act relative to bounties on porcupines. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 299, An Act in-

creasing the bounty on bear. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Leonard of Franklin for the Committee on Municipal and County Government to whom was referred House Bill No. 183, An Act relative to per diem and mileage expenses of members of the county convention who are not representatives. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill was referred to the Committee on Appropriations under the rules.

Mr. Willey of Campton for the Committee on Municipal and County Government to whom was referred House Bill No. 300, An Act relating to precincts and village districts having water systems. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hart of Laconia for the Committee on Resources, Recreation and Development to whom was referred House Joint Resolution No. 38, Joint Resolution providing for abatement of river bank erosion. Having considered the same, reported the same with the recommendation that the Joint Resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Maxham of Concord for the Special Committee consisting of the delegation from the city of Concord to whom was referred House Bill No. 60, An Act to increase the salary of the justice of the municipal court of Concord. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Cooper of Nashua for the Committee on Judiciary to whom was referred House Bill No. 90, An Act relating to

real estate brokers and salesmen. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 5 of Chapter 321-A as inserted by section 1 of said bill by striking out the words "officers of banks or trust companies" in line seven and inserting in place thereof the words, reputable citizens, so that said section as amended shall read as follows:

5. *Application for License.* Applications for the licenses required by this chapter shall be made in writing to the commissioner, on such forms and in such manner and accompanied by such evidence in support of such application as shall be prescribed by the commissioner. In the case of resident brokers and salesmen, application for a license in the first instance shall be accompanied by the recommendations of two reputable citizens in the county in which such applicant resides certifying that the applicant bears a good reputation for honesty, competency, and fair dealing. In the case of non-resident brokers and salesmen, the application shall be accompanied by the recommendations of two officers of banks or trust companies, one of whom shall be a resident of New Hampshire and one of whom shall be a resident in the county in which the applicant resides. The application for a salesman's license shall be accompanied by a written statement of the employing broker stating that in his opinion the applicant is honest, competent and of good reputation. No license shall be issued to a person under twenty-one years of age.

The undersigned, a minority of the Committee on Judiciary to whom was referred House Bill No. 90, An Act relating to real estate brokers and salesmen. Having considered the same, and being unable to agree with the majority, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

DANIEL J. HEALY,
A Minority of the Committee

Mr. Healey of Manchester, Ward 6, moved that the report of the minority be substituted for that of the majority.

The question being on the motion to substitute.

(Discussion Ensued)

Messrs. Healey of Manchester, Ward 6, and Longchamps of Littleton, and Fox of Lisbon spoke in favor of the motion.

Messrs. Barry of Wilton, Lamson of New London, Benson of Conway, Heald of Keene and Mesdames Cooper of Nashua, and Loizeaux of Plymouth spoke against the motion.

Mr. Martel of Manchester moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion Ensued)

Messrs. Martel, and Healey of Manchester, Ward 6, and Fernald of Rochester spoke in favor of the motion.

Messrs. Geisel of Manchester, Jones of Lebanon, Roeder of Belmont, and Wells of Newton spoke against the motion.

Mr. Griffin of Lincoln moved the previous question.

The question being.

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion to indefinitely postpone did not prevail.

Mr. Jones of Lebanon called for a division.

A division being had 151 members having voted in the affirmative, and 164 members having voted in the negative, the motion to indefinitely postpone did not prevail.

Mr. Martel of Manchester demanded the yeas and nays, and the roll was called with the following result:

Roll Call

Yeas—149

HILLSBOROUGH COUNTY: Farwell, Hambleton, Abbott, Spaulding, Warren, Saidel, Soucy of Manchester, Ward 1, Danforth, Robb, Connor, Martel, Nolan, Betley, Hurley, Smith of Manchester, Callahan, Clancy, Healy of Manchester, Ward 6, Ecker, Paradis, Poirier, Tessier, Constant, Delisle, Langlois, Cary, Gagnon, Kearns, O'Neil, Lareau, Soucy of Manchester, Ward 12, Vaillancourt, Dupont, Gauthier, Lesmerises, Thi-

bodeau, Cannon, Donnelly, Peaslee of Merrimack, Deans, Falconer, Belcourt, Morrissette, Ayers, Brosnahan, Maynard of Nashua, Dionne, Shea of Nashua, Chartrain, Ryan, Dugas, Dutilly, Grandmaison, Dumais, Thompson of New Ipswich, Mailloux, Dutton.

CHESHIRE COUNTY: Thomas, Belletete, Codding, Blake, Lang of Troy, Billings.

SULLIVAN COUNTY: Angus, Marcotte of Claremont, Wirkkala, Holden of Newport, Perry.

GRAFTON COUNTY: Willey, Eggleston, Lorden, Peabody, Williams, McMeekin, Cole, Perley, Fox, Gardner of Littleton, Longchamps, Martin, Dixon.

COOS COUNTY: Fontaine, Theriault, Boutain, Hayes, Hilliard, Weeks of Stewartstown, Stinson.

ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Barka, Ladd, Spollett, Thurlow, Sheehy, Sewall, Seel, Payette, Ingraham, Mafera, Durkee, Scamman.

STRAFFORD COUNTY: Leighton, Grimes, Marcotte of Dover, Flanagan, Wormhood, Nehring, Rolfe, Maxfield, Nelson, Carignan, Lacasse, Clement, Fernald, Green of Rollinsford, Letourneau, Charpentier.

BELKNAP COUNTY: McAllister, Gardner of Gilford, Stafford, Morin, Hoyt, Brown of Laconia.

CARROLL COUNTY: Hodgdon, Clow.

MERRIMACK COUNTY: Flanders, Moore, Vogel, Marden, Dodge, Ferrin, Tebbetts, Otis, Rainie of Concord, Saltmarsh, Walker of Concord, Comi, Burke, Douphinette, Leonard, DuDevoir, Mulaire, Davis of Hopkinton, Brown of Loudon, Wilman, Thibeault, Ferguson, Youmans.

Nays—191

HILLSBOROUGH COUNTY: Robinson, Wiggin, Black, Jennings, Poore, English, Hadley, Goodwin of Hollis, Goodwin of Hudson, Corliss, Lang of Manchester, Cain, Geisel, Pillsbury, Horan, Sullivan, Fitzgerald, Kean, Healy of Manchester, Ward 5, Auger, Attalla, Wadleigh, Cooper, Ramsdell, Boire, Temple, Pappagianis, Janelle, Pelletier, Bouthillier, Locke of New Boston, Cummings, Barry.

CHESHIRE COUNTY: Burnham, Maynard of Fitzwilliam, Clark of Harrisville, Spofford, Haley, Kirk, Sweeney of Keene,

Landers, Wheeler, Bennett, Heald, Faulkner, Barton, Waling, Carlton, Sherwin, Kershaw, Killeen, Rhodes, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Frizzell, Converse, Howe, Firestone, Millar, Nahil, Stone, Davis of Cornish, Smith of Langdon, Roe, Vaughan, Jordan, Metcalf of Springfield, Gamsby, DeLude.

GRAFTON COUNTY: Gingras, Chamberlin of Bath, Whittier, Plumer, Brown of Easton, Atkins, Fuller, Hayward, Holden of Hanover, Adams of Lebanon, Ashley, Jones, Fred of Lebanon, Jones, Victor of Lebanon, Griffin of Lincoln, Carr, Howard, Bell of Plymouth, Loizeaux, Barney, Horner, Anderson, Woodward, Sawyer.

COOS COUNTY: Sheridan, Christiansen, Alls, Oakes, Emerson, Robinson, Ross, Kimball of Jefferson, Simonds, Swett, Potter, Taylor.

ROCKINGHAM COUNTY: Brock, Wastcoat, Clark of Derry, Hepworth, Eldredge, Rathbone, Richards, Weeks of Greenland, Merrill of Hampton, Ring, Eastman, MacDonald, Parmenter, McCaffrey, Labranche, Wells, Carter, Pinkham, McDaniel, Hundley, Sadler, Foote, Murch, Yeaton, Joyce, Wardwell, Smart, Philbrick, Haigh, Noyes, Waterhouse.

STRAFFORD COUNTY: Swain, Chase, Fellows, Webb, Connell, Crandall, Locke of Dover, Funkhouser, Littlehale, Stearns, St. Pierre, Studley, Lagueux, Malley, Brown of Strafford.

BELKNAP COUNTY: Roeder, Nichols, Robertson, Hart, Simoneau, Tilton of Laconia, Karagianis, Burbank, Varrell, Kipp, Smith of Meredith, Matthews, Atwood, Metcalf of Tilton.

CARROLL COUNTY: Washburn, Benson, Downs, Mudgett, Morey, Gale, Kimball of Moultonborough, Diffenderfer, Hodge, Nickerson, Peaslee of Wakefield, Ford.

MERRIMACK COUNTY: Hyde, Perkins of Concord, Ward 3, Lessels, Jewett, Bunten, Cilley, Nawn, Sargent, Mendenhall, Nutter, Broadhurst, Thompson of Franklin, Patenaude, Lamson, Powell.

And the motion to indefinitely postpone did not prevail.

The question being on the motion to substitute the minority report for that of the majority.

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Reconsideration

Mr. Benson of Conway moved that the House reconsider its vote whereby the House ordered to a third reading House Bill No. 90, An Act relating to real estate brokers and salesmen.

On a *viva voce* vote the motion to reconsider did not prevail.

On motion of Mr. Pillsbury of Manchester the rules were so far suspended as to put the bill upon its third reading and final passage at the present time, by title only.

House Bill No. 90 was then read a third time and passed and was sent to the Senate for concurrence.

Reconsideration

Mr. Griffin of Lincoln moved that the House reconsider its vote whereby it voted to pass House Bill No. 90, An Act relating to real estate brokers and salesmen.

On a *viva voce* vote the motion to reconsider did not prevail.

Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

House Bill No. 17, An Act relative to landing areas for operation of aircraft under the aeronautics act.

House Bill No. 26, An Act relative to operation of motor vehicles when approaching school busses.

House Bill No. 95, An Act providing for the classification of certain surface waters in Grafton county.

House Bill No. 121, An Act providing for the classification of certain surface waters.

House Bill No. 391, An Act legalizing certain elections in the town of Rye.

House Joint Resolution No. 2, Joint Resolution relative to lookout tower on Crotched Mountain.

House Joint Resolution No. 42, Joint Resolution in favor of the estate of Lloyd Flint.

Senate Joint Resolution No. 2, Joint Resolution providing for a deficiency appropriation of diagnostic laboratories.

The message further announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 120, An Act providing for the classification of certain surface waters.

Amend section 1, sub-section II. of the bill by striking out the word "serving" in line 2 and substituting in place thereof the following, and Marshall Pond which serves, so that said sub-section as amended shall read as follows: II. An unnamed brook and its tributaries, in the town of Unity, from their sources to the outlet of the intake dam and Marshall Pond which serves as a water supply for the Sullivan County Farm, Class A.

On motion of Mrs. Funkhouser of Durham the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 139, An Act regarding the closing of certain lakes and ponds for fishing.

Amend section 1 of the bill by striking out in line 5 the word "ninety" and substituting in place thereof the word, sixty.

Further amend said section by striking out in line 18 the words "one hundred and fifty" and substituting in place thereof the words, ninety, so that said section as amended shall read as follows: Amend section 1 by striking out said section and inserting in place thereof the following: 1. *Regulations by Fish and Game Director.* Amend section 14 of chapter 240 of the Revised Laws as amended by chapter 132, Laws of 1947, by inserting after the word "over" in the seventh line the words,

sixty days for stocking or conservation purposes and; further amend said section by striking out the word "sixty" in the seventh line and inserting in place thereof the words, one hundred and fifty, and by inserting after the word "days" in the seventh line the words, to reclaim ponds, so that said section as amended shall read as follows: 14. *Areas Closed Temporarily to Hunting.* Notwithstanding the other provisions of this chapter, the director shall have the power and authority to close to hunting any area in which it is in his opinion dangerous to human life to hunt thereon because of people working therein, and he shall have the power and authority to close any season for the taking of fish in any area for not over sixty days for stocking or conservation purposes and ninety days to reclaim ponds in any calendar year when in his opinion such action shall be necessary for the protection or preservation of the fish in such area. Any rule, regulation or order of the director issued pursuant to this section shall take effect at such time as shall be stated therein and shall be given such publication as the director may in his discretion deem proper to fairly acquaint the residents of the locality affected thereby of the provisions thereof.

On motion of Mr. Washburn of Bartlett the House voted to non-concur in the amendments sent down from the Honorable Senate and that a committee of conference be appointed.

Committee of Conference Appointed

The Speaker appointed as members of such committee on the part of the House Messrs. Washburn of Bartlett, Brown of Loudon, and Thompson of Franklin.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 3, An Act relative to required equipment and licensing bicycles.

Senate Bill No. 60, An Act disannexing certain homesteads in the town of Bedford from the city of Manchester for school purposes.

Senate Bills Read and Referred

Senate Bill No. 3, An Act relative to required equipment and licensing of bicycles.

Read a first and second time and referred to the Committee on Municipal and County Government.

Senate Bill No. 60, An Act disannexing certain homesteads in the town of Bedford from the city of Manchester for school purposes.

Read a first and second time and referred to the Committee on Education.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles and joint resolution by their captions only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

Third Readings

House Bill No. 60, An Act to increase the salary of the justice of the municipal court of Concord.

House Bill No. 313, An Act relative to the so-called state aid formula.

House Bill No. 317, An Act relative to rights of retired teachers.

House Joint Resolution No. 35, Joint Resolution in favor of Cora Shares.

House Joint Resolution No. 38, Joint Resolution providing for abatement of river bank erosion.

Severally read a third time and passed and sent to the Senate for concurrence.

Vote Recorded

Mrs. Noyes of Salem rose to be recorded as voting NO on the question to substitute the words "ought to pass" for the report of the committee "inexpedient to legislate" on House Bill No. 133, An Act authorizing the licensing of greyhound races on which pari mutuel system of wagering shall be permitted.

On motion of Mrs. Stafford of Laconia at 1:40 o'clock the House adjourned.

TUESDAY, MARCH 24, 1953

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God our Father, Who hast made among men a universal brotherhood, and hast said in Thy Word: "No man liveth unto himself," help us to more keenly sense this fundamental truth in our relationship with others. Thou hast made us social beings, and while we cannot live without Thee, neither can we live and enjoy the fulness of life without entering into the lives of others and opening our lives to the contributions of others. In this great brotherhood, deliver us O God, from greed and selfishness, from every kind of prejudice and ill-will and from all causes of discontent and strife; may we have such regard for one another's welfare that we shall work together with one heart and will to secure equality of opportunity and due reward for all.

"There is a destiny that makes us brothers:
None goes this way alone;
All that we send into the lives of others
Comes back into our own."

In the name of Christ. *Amen*

Leaves of Absence

Messrs. Perkins of Concord, Ward 3 and Spaulding of Hudson were granted leave of absence for the day on account of important business.

Mr. Clark of Derry was granted leave of absence for one month on account of important business.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Youmans of Warner, House Bill No. 399, An Act relative to pre-settlement payments of liability insurance. To the Committee on Insurance.

By Mr. Nawn of Concord, House Bill No. 400, An Act

to create centralized registration of voters in the City of Concord. To the Delegation from the City of Concord.

By Mr. Downs of Conway, House Bill No. 401, An Act creating a state board of examiners of electricians. To the Committee on Executive Departments and Administration.

By Mr. Cavanaugh of Manchester, House Bill No. 402, An Act relative to motor trucks. To the Committee on Transportation.

By Rules Committee, (Mr. Pillsbury of Manchester) House Bill No. 403, An Act to provide for a state tax study. To the Committee on Appropriations.

Engrossed Bills Committee Report

Mrs. Landers of Keene for the Committee on Engrossed Bills to whom was referred House Bill No. 159, An Act relating to the crossing of public lands and waters by utilities and others. Having considered the same, reported the same under Joint rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the first two lines thereof and inserting in place thereof the following:

1. *Public Waters.* Amend section 17 of chapter 294 of the Revised Laws, as amended by section 48 of chapter 203 of the Laws of 1951 by

On motion of Mrs. Atkins of Hanover the House adopted the amendments proposed by the committee on engrossed bills.

The bill was then sent to the Senate for concurrence.

Committee Reports

Mr. Barry of Wilton for the Committee on Appropriations to whom was referred House Bill No. 14, An Act relative to the purchase and operation of aircraft by the aeronautics commission. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. McMeekin of Haverhill moved that the bill be recommitted to the Committee on Appropriations.

The question being on the motion to recommit.

(Discussion Ensued)

Mr. McMeekin of Haverhill spoke in favor of the motion.

On a *viva voce* vote the motion to recommit prevailed.

Miss Loizeaux of Plymouth for the Committee on Appropriations to whom was referred House Bill No. 34, An Act establishing a New Hampshire Tri-State Commission. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barry of Wilton for the Committee on Appropriations to whom was referred House Bill No. 340, An Act relative to salaries of employees in the classified service of the state. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hadley of Hillsborough for the Joint Committees on Executive Departments and Administration, and Labor to whom was referred House Bill No. 339, An Act to establish a basic work week and a basic work day for employees at the state institutions. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hadley of Hillsborough for the Joint Committees on Executive Departments and Administration, and Labor to whom was referred House Bill No. 341, An Act relative to basic work week for assistants in department of public works and highways. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Bennett of Keene for the Joint Committees on Executive Departments and Administration, and Labor to whom was referred House Bill No. 342, An Act to authorize the governor and council to establish a basic work week for employees

in the state service. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Cooper of Nashua for the Committee on Judiciary to whom was referred House Bill No. 289, An Act relating to common trust funds and to make uniform the law with reference thereto. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of Chapter 312-A as inserted by section 1 of said bill by adding at the end of said section the words, Any person acting as a co-fiduciary with any such bank or trust company is hereby authorized to consent to the investment in such interests, so that said section as amended shall read as follows:

1. *Establishment of Common Trust Funds.* Any bank or trust company qualified to act as fiduciary in this state may establish common trust funds for the purpose of furnishing investments to itself as fiduciary, or to itself and others, as co-fiduciaries; and may, as such fiduciary or co-fiduciary, invest funds which it lawfully holds for investment in interests in such common trust funds, if such investment is not prohibited by the instrument, judgment, decree, or order creating such fiduciary relationship, and if, in the case of co-fiduciaries, the bank or trust company procures the consent of its co-fiduciaries to such investment. Any person acting as a co-fiduciary with any such bank or trust company is hereby authorized to consent to the investment in such interests.

The report was accepted.

The question being on the amendment.

(Discussion Ensued)

Messrs. Wells of Newton, and Wadleigh of Milford spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Perkins of Concord, Ward 3 for the Committee on Judiciary to whom was referred House Bill No. 153, An Act

to provide for an additional justice of the Superior Court. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Reconsideration

Mr. McMeekin of Haverhill moved that the House reconsider its vote whereby it voted to recommit House Bill No. 14, An Act relative to the purchase and operation of aircraft by the aeronautics commission.

On a *viva voce* vote the motion to reconsider prevailed and the bill was ordered to a third reading.

Mr. Dixon of Lyme for the Committee on Judiciary to whom was referred House Bill No. 104, An Act relating to powers of corporations. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate, subject matter covered by pending legislation.

The report was accepted and the resolution of the committee adopted.

Mrs. Frizzell of Charlestown for the Committee on Judiciary to whom was referred House Bill No. 140, An Act entitled uniform act on blood tests to determine paternity. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Dixon of Lyme for the Committee on Judiciary to whom was referred House Bill No. 119, An Act relating to the operation of motor boats and outboard motors. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by inserting after section 5 the following new sections:

6. *Application of Statutes.* Amend section 1 of chapter 181, Revised Laws, by striking out the word "service" in the second line and inserting in place thereof the word, utilities,

so that said section as amended shall read as follows: 1. *Declaration of Policy.* In the interest of public safety and the protection of property, it shall be the duty of the public utilities commission, in all cases not provided for by the United States inspection laws and in all cases where inspections are not regularly made thereunder, to provide for the inspection on any public waters of the state of all commercial and private boats and the machinery, appliances and equipment thereof, such inspections to be performed by the commission or its duly authorized representative. The commission shall also supervise the safety of navigation and the establishment of aids to navigation, and all lights and buoys maintained at public expense on the inland waters of the state shall be under the jurisdiction of the commission. The commission shall make such alterations and improvements in existing lights and buoys as may be desirable, place additional lights and buoys where required to promote the safety of navigation, remove obstructions tending to impede navigation, and maintain all lights and buoys under its jurisdiction.

7. *Change of Name.* Amend paragraph I of section 2 of chapter 181, Revised Laws, by striking out the word "service" and inserting in place thereof the word, utilities, so that the said paragraph as amended shall read as follows: I. The term "commission" means the public utilities commission.

Further amend said bill by renumbering section 6 to read section 8.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Order Vacated

On motion of Mr. Whittier of Bethlehem the order whereby House Bill No. 383, An Act relative to registration of motor vehicles owned by minors was referred to the Committee on Transportation was vacated and the bill was referred to the Committee on Insurance.

Mr. Carter of North Hampton for the Committee on Public Works to whom was referred House Bill No. 358, An Act extending the powers of the Maine-New Hampshire interstate bridge authority. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Holden of Hanover for the Committee on Judiciary to whom was referred Senate Bill No. 12, An Act relative to time polls open and close. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Barka of Derry moved that the words "ought to pass" be substituted for the report of the committee "inexpedient to legislate."

The question being on the motion to substitute.

(Discussion Ensued)

Messrs. Barka of Derry and Blake of Swanzey spoke in favor of the motion.

Messrs. Holden of Hanover, Wells of Newton, and Wadleigh of Milford spoke against the motion.

Mr. Barka of Derry moved that the bill be recommitted to the Committee on Judiciary.

The question being on the motion to recommit.

Mr. Angus of Claremont, and Mrs. Brungot of Berlin spoke in favor of the motion.

Messrs. Jones of Lebanon, and Matthews of New Hampton spoke against the motion.

On a *viva voce* vote the motion to recommit did not prevail.

The question being on the motion to substitute the words "ought to pass."

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the resolution of the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Reconsideration

Mr. Holden of Hanover moved that the House reconsider the vote whereby the House voted inexpedient to legislate Senate Bill No. 12.

On a *viva voce* vote the motion to reconsider did not prevail.

Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 31, An Act relative to protection from adulterated and misbranded foods, drugs, devices and cosmetics.

House Bill No. 178, An Act relative to increasing benefits under workmen's compensation law.

House Bill No. 184, An Act relating to out-of-state motor vehicles.

House Bill No. 214, An Act relative to the Boynton Common School Fund.

The message further announced that:

The Senate had voted to accede to the request of the House for a Committee on Conference on the following entitled bills House Bill No. 68, An Act relative to the salary of the solicitor of Rockingham County, and the President appointed as members of such Committee on the part of the Senate, Senators Cleveland and Paquette.

House Bill No. 122, An Act relative to special motor vehicle plates.

The President appointed as members of such Committee on the part of the Senate, Senators Graves and Heroux.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolutions:

Resolved:

On behalf of the Governor of the State of New Hampshire, and of the people of this state, we the members of the House of Representatives and of the Senate in General Court convened,

Extend to DWIGHT D. EISENHOWER, President of the United States, a most cordial invitation to come to New Hampshire and establish here a summer White House.

We have mountains, fields and forests, lakes and streams,

and can assure the President of excellent facilities for golf, fishing and other recreational opportunities.

New Hampshire is a wonderful state, and the President would find here all the elements necessary for healthful recreation during the summer months.

The Secretary of State is directed to forward a copy of this resolution to the President of the United States.

The message also announced that:

The Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 46, An Act relating to attachments.

Senate Bill Read and Referred

Senate Bill No. 46, An Act relating to attachments.

Read a first and second time and referred to the Committee on Judiciary.

Resolution

On motion of Mrs. Nutter of Epsom the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles only.

Third Readings

House Bill No. 14, An Act relative to the purchase and operation of aircraft by the aeronautics commission.

House Bill No. 34, An Act establishing a New Hampshire Tri-State Commission.

House Bill No. 119, An Act relating to the operation of motor boats and outboard motors.

House Bill No. 140, An Act entitled uniform act on blood tests to determine paternity.

House Bill No. 289, An Act relating to common trust funds and to make uniform the law with reference thereto.

House Bill No. 358, An Act extending the powers of the Maine-New Hampshire interstate bridge authority.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Atwood of Sanbornton at 12:40 o'clock the House adjourned.

WEDNESDAY, MARCH 25, 1953

The House met at 11:00 o'clock.

Prayer was offered by the chaplain.

Gracious God, in these days when men's minds are confused and their hearts fail them, bestow on us richly the spirit of loyalty that we make the most and the best of life. Give us convictions born of earnest thought and a deep consideration of the question: "What would'st THOU have us do?" and with that conviction give us the spirit of loyalty. We thank thee our God for friends, and may we never betray them by any disloyal word or action. We are grateful to Thee our Father for this land of freedom where we can live our own lives as we choose; keep us ever faithful and loyal citizens, that we may preserve this freedom for our children and children's children. We pray with the poet:

"Wake in our breast the living fires,
The holy faith that warmed our sires;
Thy hand hath made our Nation free;
To die for her is serving Thee."

Amen.

Leaves of Absence

Mr. Grimes of Dover and Mrs. Atkins of Hanover were granted leave of absence for the day on account of important business.

Mr. Whittier of Bethlehem was granted leave of absence for Wednesday and Thursday on account of important business.

Speaker's Ruling

In response to a parliamentary inquiry directed to the Chair by the member from Rochester, Mr. Fernald.

The Chair would rule that the motion offered by the member from Manchester, Mr. Pillsbury and adopted by the House on the voice vote suspended by direction, indirection and implication any, and all other rules, of the House that prescribe any other action which might normally take place prior to the third reading and final passage of the bill.

By way of observation, the Chair would state that should the House not have adopted the motion offered from the mem-

ber from Manchester, Mr. Pillsbury, to place House Bill 90 upon third reading and final passage by title only at the present time, the Chair would have had no alternative but to refer House Bill 90 to the Appropriation Committee under the mandatory provisions of Rule 49.

The keen analysis of the situation by the member from Rochester, Mr. Fernald, is appreciated by the Chair, yet of necessity must be considered as belated. The parliamentary inquiry should have been directed to the Chair by way of a request for a division or a roll call at the conclusion of the voice vote on the motion offered by the member from Manchester, Mr. Pillsbury.

In conclusion, the Chair rules that House Bill 90 was duly and properly passed by the House and no violation of the Rules of the House was occasioned in the final passage, thereof.

Reconsideration

Mr. Fernald of Rochester moved that the rules of the House be suspended to allow reconsideration of the vote whereby House Bill No. 90 was passed and sent to the Senate.

The question being on the motion to suspend the rules.

(Discussion Ensued)

Messrs. Fernald of Rochester, Longchamps of Littleton, Malley of Somersworth, and Healy of Manchester, Ward 6 spoke in favor of the motion.

Messrs. Heald of Keene, Spaulding of Hudson, Pillsbury of Manchester and Mrs. Cooper of Nashua spoke against the motion.

Mr. Hart of Laconia moved the previous question.

The question being:

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to suspend the rules of the House.

Mr. Longchamps of Littleton demanded the yeas and nays but subsequently withdrew his demand and asked for a division.

A division being had 55 members having voted in the affirmative and 213 members having voted in the negative, and less than two thirds of those present having voted in the

affirmative, the motion to suspend the rules did not prevail.

Rules Amendment

Mr. Kearns of Manchester offered the following amendment to the Rules of the House.

Amend Rule No. 5 by striking out the same and inserting in place thereof the following:

5. All committees shall be appointed by the Speaker unless otherwise directed by the House. Provided, the membership on all standing committees of the House shall be divided between the two major political parties in the same proportion that the membership of the House belonging to the majority party bears to the House membership of the minority party. The appointments to committees for the majority party shall be made by the Speaker and appointments to committees for the minority party shall be made by the Speaker with the advice and consent of the duly elected minority party leader. These rules to take effect January 1955.

The question being on the amendment.

Mr. Kearns of Manchester moved that the amendment be laid upon the table and made a special order for Tuesday, March 31 at 11:01 o'clock.

On a *vica voce* vote the motion prevailed.

Introduction of Bills

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Matthews of New Hampton, House Bill No. 404, An Act relative to State Industrial School. To the Committee on Public Welfare and State Institutions.

By Mr. Scamman of Stratham, House Bill No. 405, An Act for the extension of skiing facilities on the Cannon Mountain Franconia Notch State Reservation and studies on other areas. To the Committee on Resources, Recreation and Development.

By Mr. Thompson of Franklin, House Bill No. 406, An Act relative to the election of county commissioners by districts or by counties. To the Committee on Executive Departments and Administration.

By Mr. Smith of Manchester, House Bill No. 407, An

Act relative to vacation time for employees of the Manchester highway department. To the Delegation from the City of Manchester.

By Mr. Eggleston of Canaan, House Joint Resolution No. 43, Joint Resolution in favor of Mrs. Helen Huckins. To the Committee on Appropriations.

By Mr. Lessels of Concord, House Joint Resolution No. 44, Joint Resolution relative to a study of the problems connected with aged persons. To the Committee on Executive Departments and Administration.

By Mrs. Brungot of Berlin, House Joint Resolution No. 45, Joint Resolution relative to improvement of the Thirteen-Mile road, so called in Coos county. To the Committee on Public Works.

Report of Committee on Engrossed Bills

Mrs. Mahoney of Concord for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled bills and joint resolutions:

Senate Joint Resolution No. 2, Joint Resolution providing for a deficiency appropriation of diagnostic laboratories.

House Joint Resolution No. 12, Joint Resolution relative to abatement of certain property taxes against certain telephone companies, car companies and individuals.

House Joint Resolution No. 42, Joint Resolution in favor of the estate of Lloyd Flint.

Senate Bill No. 6, An Act relating to retirement benefits.

House Bill No. 17, An Act relative to landing areas for operation of aircraft under the aeronautics act.

House Bill No. 24, An Act relative to escapes from places of lawful confinement.

House Bill No. 26, An Act relative to operation of motor vehicles when approaching school busses.

House Bill No. 47, An Act relative to the term of office of certain assistant election officials.

House Bill No. 56, An Act relating to licenses under fish and game laws.

House Bill No. 95, An Act providing for the classification of certain surface waters in Grafton county.

House Bill No. 120, An Act providing for the classification of certain surface waters.

House Bill No. 121, An Act providing for the classification of certain surface waters.

House Bill No. 151, An Act relating to the sale of securities and defining a dealer therein.

House Bill No. 167, An Act relative to salaries of the mayor and councilmen of the city of Berlin.

House Bill No. 184, An Act relating to out-of-state motor vehicles.

House Bill No. 192, An Act relative to courses of study in schools relative to physical education and the safe use of firearms.

House Bill No. 214, An Act relative to The Boynton Common School Fund.

House Bill No. 391, An Act legalizing certain elections in the town of Rye.

House Bill No. 396, An Act relative to bonded indebtedness of the town of Peterborough for waterworks.

The report was accepted.

Committee Reports

Mrs. Griffin of Auburn for the Committee on Executive Departments and Administration to whom was referred House Bill No. 290, An Act relative to the rights of physicians and surgeons to practice medicine in publicly owned hospitals and hospitals soliciting or accepting public donations. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fuller of Hanover for the Committee on Executive Departments and Administration to whom was referred House Bill No. 351, An Act relative to old-age and survivors insurance coverage for public employees. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Pelletier of Nashua for the Special Committee consisting of the delegation from the city of Nashua to whom was referred Senate Bill No. 38, An Act repealing special acts relating to hospitals in Nashua. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Pelletier of Nashua for the Special Committee consisting of the delegation from the city of Nashua to whom was referred House Bill No. 128, An Act to increase the salaries of the justices of the Nashua municipal court.

Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the word "four", in the fourth and tenth lines and inserting in place thereof the word, three, so that said section as amended shall read as follows:

1. *Salaries of Justices.* Amend paragraph I of section 31 of chapter 377 of the Revised Laws as amended by chapter 232 of the Laws of 1947 by striking out after the word "Nashua" the words "two thousand eight hundred" and inserting in place thereof the words, three thousand, so that said paragraph, as amended, shall read as follows: I. *Salaries of Justices.* Salaries of justices of municipal courts shall be paid from the treasury of the city or town in which such courts are located, may be paid quarterly or monthly, and shall be in the following sums per annum:

In Manchester, three thousand eight hundred dollars;
In Nashua, three thousand dollars;
In Concord, two thousand eight hundred dollars;
In Portsmouth, one thousand eight hundred dollars;
In Dover, one thousand eight hundred dollars;
In Laconia, one thousand eight hundred dollars;
In Keene ,one thousand eight hundred dollars;
In Claremont, one thousand eight hundred dollars;
In Keene, one thousand eight hundred dollars;
In Rochester, one thousand two hundred dollars;
In Lebanon, one thousand dollars;
In Newport, nine hundred dollars;
In Derry, nine hundred dollars;

In Franklin, nine hundred dollars;
In Exeter, eight hundred dollars;
In Somersworth, eight hundred dollars;
In Littleton, eight hundred dollars;
In Milford, six hundred dollars.

Amend section 2 of said bill by striking out the words "two thousand" in lines four and twelve and inserting in place thereof the words, seventeen hundred, so that said section as amended shall read as follows:

2. *Associate Justice.* Amend section 4 of chapter 377 of the Rexised Laws as amended by chapters 179 and 260 of the Laws of 1947 by striking out after the word "Nashua" the words "fifteen hundred" and inserting in place thereof the words, seventeen hundred, so that said section as amended shall read as follows: 4. *Compensation of Special Justices.* The special justice and justice of the peace requested to sit owing to the disqualification of the justice and special justice shall be paid, from the treasury of the city or town wherein said court is located, three dollars a day for each day or part thereof that he shall serve in said capacity; provided, that the annual salaries of the special justices of the municipal courts of the following cities and towns shall be as follows, of Manchester eighteen hundred dollars, of Nashua seventeen hundred dollars, of Concord five hundred dollars, of Portsmouth four hundred dollars, of Laconia two hundred dollars, and of Hampton one hundred and fifty dollars, to be paid by said cities and town, respectively, quarterly, and shall be in lieu of any other compensation or fees to such justices.

The report was accepted.

On motion of Mr. Pelletier of Nashua the rules were suspended to dispense with the reading of the amendment.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Pelletier of Nashua for the Special Committee consisting of the delegation from the city of Nashua to whom was referred House Bill No. 288, An Act relating to salaries of certain officials of the city of Nashua. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the word "seven" in line seventeen and inserting in place thereof the word, four, so that said section as amended shall read as follows:

1. *Mayor; City of Nashua.* Amend section 45 of chapter 427 of the Laws of 1913, as amended by chapter 246 of the Laws of 1921 and by chapter 288 of the Laws of 1943, by striking out said section and inserting in place thereof the following: Sect. 45. The mayor shall be the chief executive officer of the city, and cause its laws and ordinances to be executed and enforced, shall exercise the general supervision over the conduct of all subordinate officers and cause all violations and neglect of duties by them to be punished. He may call a meeting of the board of aldermen whenever in his opinion there is occasion by causing a notification to be given to or left at the abode of each member of the board to be convened. He shall from time to time communicate to said board and to all subordinate officers such information and recommendations relative to matters within their respective jurisdiction as, in his judgment, the interests of the city may require, and shall have and perform such other powers and duties not inconsistent with the provisions of this act as now or hereafter may be conferred or imposed on him by the municipal ordinances or upon mayors of cities by general law. The salary of the mayor of the city of Nashua shall be four thousand dollars per annum, payable in equal monthly payments. Said salary shall be in full compensation for services performed by said mayor while on official business. The mayor shall hold no other office of profit, recompense for which is made out of city funds or appropriations.

Amend section 2 of said bill by striking out the words "three hundred" in line five and inserting in place thereof the words, one hundred and fifty, and further amend said section by striking out the word "six" in line six and inserting in place thereof the word, three, so that said section as amended shall read as follows:

2. *Salaries Increased.* Amend section 1 of chapter 341 of the Laws of 1947, as amended by section 4 of chapter 441 of the Laws of 1949, by striking out said section and inserting in place thereof the following: 1. *Salaries of Aldermen.* The salary of each ward alderman of the city of Nashua shall be one hundred and fifty dollars per year, payable in equal quar-

terly payments, the salary of each alderman at large of said city shall be three hundred dollars per year, payable in equal quarterly payments, provided the alderman at large who acts as clerk of the finance committee shall receive, in addition to his salary as such alderman, an additional sum of one hundred dollars per year, payable in the same manner.

The report was accepted.

On motion of Mr. Pelletier of Nashua the rules were suspended to dispense with the reading of the amendment.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Taken from the Table under Rule 48

House Bill No. 147, An Act relative to the posting of land.

The question being on the amendment, as printed in Journal of Thursday, March 19.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 142, An Act relating to compensation for members of organizations for civil defense.

House Bill No. 189, An Act authorizing the city of Portsmouth to raise money and to issue bonds for school purposes.

House Bill No. 396, An Act relative to bonded indebtedness of the town of Peterboro for water works.

The message further announced that:

The Senate had voted to accede to the request of the House for a Committee of Conference on the following entitled bill, House Bill No. 139, An Act regarding the closing of certain lakes and ponds for fishing, and the President appointed as Conferees on the part of the Senate, Senators Knox and Kelley.

The message further announced that:

The Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 31, An Act relative to protection from adulterated and misbranded foods, drugs, devices and cosmetics.

Amend section 2 of said bill by striking out the first three lines and inserting in place thereof the following:

2. *Definition of Drug.* Amend paragraph II, section 2, chapter 164, Revised Laws, as amended by section 1, chapter 61, Laws of 1947, by striking out the words "or for toilet or disinfectant use" in the sixth line and also by striking out the words "except that such term shall not include soaps" in the last.

On motion of Mrs. Otis of Concord the House concurred in the adoption of the amendments proposed by the committee on engrossed bill.

The bill was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 2, Joint Resolution relative to lookout tower on Crotched Mountain.

Amend said resolution by striking out the last sentence thereof and inserting in place thereof the following:

The governor is hereby authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

On motion of Mr. Sherwin of Rindge the House concurred in the adoption of the amendments proposed by the committee on engrossed bill.

The bill was then sent to the Secretary of State to be engrossed.

Communication

The Speaker read the following letter.

NETHERLANDS EMBASSY
WASHINGTON 9, D. C.

Sir,

The resolution of the State of New Hampshire of which you were good enough to send me a copy, expressing concern

of the people of New Hampshire over the recent flood disaster which has befallen the people of The Netherlands, as well as our friends in England and Belgium, has deeply touched me.

I can assure you that the expression of sympathy extended in this document by the people of New Hampshire to their fellow men in far-away countries and furthermore the appeal to give aid through whatever channels available have been an inspiration to those who have been so sorely afflicted.

The material aid which flowed so abundantly from New Hampshire as well as from all corners of your vast country and so many friendly nations of the world, has made it possible to meet the most urgent needs with comparatively little loss of time.

To the people of The Netherlands this is an unforgettable experience.

Please accept my most sincere thanks and believe me, Sir,

Sincerely yours,

(Signed) Dr. J. H. van Roijen
Netherlands Ambassador

The Honorable Hugh Gregg
Governor of New Hampshire
Concord, New Hampshire.

Resolutions

Miss Spollett of Hampstead offered the following resolution:

Whereas, Ezra Taft Benson, Secretary of Agriculture expects to visit New Hampshire to speak at Durham on April first, and

Whereas, agriculture is an important source of state income and

Whereas, the farmers of the state will contribute to the welfare of the state's economy, Now therefore be it

Resolved, That the secretary of Agriculture be invited to address the House of Representatives at 11 a.m. on Wednesday, April first, and be it further

Resolved, That His Excellency the Governor, the Honorable Council, and the Honorable Senate be invited to join with us on this occasion, and be it further

Resolved, That the Clerk be instructed to transmit a copy of this resolution to Secretary Benson.

On a *viva voce* vote the resolution was adopted.

Miss Woodward of Waterville offered the following resolution:

Whereas, Governor Hugh Gregg has proclaimed today, Wednesday, March 25th, as Hellenic Day in honor of the 132nd Anniversary of Greek Independence, therefore be it

Resolved, That the House of Representatives join with the Governor in paying honor to the country in which democracy originated 25 centuries ago and which in World War II and since has courageously stood against Communism and for Freedom.

On a *viva voce* vote the resolution was adopted.

Mr. Wormhood of Madbury offered the following resolution:

Whereas, Edwin H. Perry of Newport is celebrating his 82nd birthday today, and

Whereas, Mr. Perry has taken the years in an easy stride, now therefore be it

Resolved, that we, the members of this House of Representatives wish him many happy returns of the day with a wish that he may celebrate many more birthdays, and be it further

Resolved, that when the House adjourns today it adjourn in honor of Mr. Perry.

On a *viva voce* vote the resolution was adopted.

Resolution

On motion of Mrs. Noyes of Salem the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles only.

Third Readings

House Bill No. 128, An Act to increase the salaries of the justices of the Nashua municipal court.

House Bill No. 147, An Act relative to the posting of land.

House Bill No. 288, An Act relating to salaries of certain officials of the city of Nashua.

House Bill No. 351, An Act relative to old-age and survivors insurance coverage for public employees.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 38, An Act repealing special acts relating to hospitals in Nashua.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Landers of Keene at 12:50 o'clock the House adjourned.

THURSDAY, MARCH 26, 1953

The House met at 11:00 o'clock.

Prayer was offered by the chaplain.

O Thou God of universal interest and protection, bless our land and write the laws of righteousness and justice on the consciences of its rulers and its people. Let Thy fatherly protection and pity rest upon the poor, the unfortunate, the sick and the sorrowful. Relieve those who suffer under the injustice of their fellowmen; give them patience and sure confidence in Thee. Support all who are in any trouble and help them to rely on the words of the Divine Master Who said: "Come unto Me all ye that labor and are heavy laden and I will give you rest." Give vision to those who blindly stumble along the pathway of duty, wisdom to those who do know the right, and courage to those who dare not do the right; through Jesus Christ our Lord. *Amen.*

Leaves of Absence

Messrs Weeks of Greenland, Barton of Keene and Robinson of Gorham were granted leave of absence for the day on account of important business.

Introduction of Bills

The following bills were severally introduced, read a first

and second time, laid upon the table to be printed and referred as follows:

By Mr. English of Hancock, House Bill No. 408, An Act relative to class III recreational roads. To the Committee on Public Works.

By Mrs. Brungot of Berlin, House Bill No. 409, An Act relative to affidavits by absentee voters. To the Committee on Judiciary.

By Mr. Cilley of Concord, House Bill No. 410, An Act to revise the charter of the City of Concord. To the Delegation from the City of Concord.

Printing Dispensed With

On motion of Mr. Spaulding of Hudson the rules were so far suspended as to dispense with the printing of House Bill No. 408, An Act relative to class III recreational roads.

Committee Reports

Mr. Scamman of Stratham for the Committee on Appropriations to whom was referred House Bill No. 11, An Act relative to compensation for members of the barbers' examining and licensing board, and to fees for renewal of certain licenses. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Miss Loizeaux of Plymouth for the Committee on Appropriations to whom was referred House Bill No. 22, An Act relative to the board of registration of hairdressers and licenses for the practice of hairdressing. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Scamman of Stratham for the Committee on Appropriations to whom was referred House Joint Resolution No. 32, Joint Resolution providing an appropriation for repair of dams. Having considered the same, reported the same with the following amendment, and the recommendation that the Joint Resolution as amended ought to pass.

Amend the joint resolution by striking out in the third line the words "twenty-five" and inserting in place thereof the word, ten, so that the joint resolution as amended shall read as follows: That there is hereby appropriated for the purpose of carrying out the provisions of sections 22 to 27, chapter 266, Revised Laws, as inserted by chapter 235, Laws of 1951, the sum of ten thousand dollars for the year ending June 30, 1954, and a like sum for the year ending June 30, 1955, and the governor is hereby authorized to draw his warrants for said sums out of any money in the treasury not otherwise appropriated. The sums hereby appropriated shall not lapse but shall be added to the appropriation for the water resources board of any succeeding fiscal year to be used for the purposes herein contained.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Longchamps of Littleton for the Committee on Executive Departments and Administration to whom was referred Senate Bill No. 27, An Act to authorize administration of small estates upon giving bond without sureties. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hepworth of Derry for the Committee on Executive Departments and Administration to whom was referred House Bill No. 175, An Act relative to the audit and post audit of state accounts. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Payette of Portsmouth for the Committee on Municipal and County Government to whom was referred House Bill No. 323, An Act relative to agreements to be entered into between the university and the town of Durham. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Carter of North Hampton for the Committee on Public Works to whom was referred Senate Bill No. 39, An Act naming the Hampton River toll bridge. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Wiggin of Bedford for the Committee on Public Works to whom was referred House Bill No. 354, An Act relative to classification of a road in Barnstead and Gilmanton. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Spaulding of Hudson for the Committee on Public Works to whom was referred House Bill No. 355, An Act relative to highway in the town of Farmington. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committe adopted.

Mr. Belletete of Jaffrey for the Joint Committee on Transportation, and Military and Veteran's Affairs to whom was referred House Bill No. 318, An Act relative to motor vehicle operator's licenses held by military personnel. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Motor Vehicle Operators Licenses.* Amend section 4 of chapter 97 of the Laws of 1951 by striking out said section and inserting in place thereof the following: 4. *Takes Effect.* The provisions of section 2 shall be effective forthwith and shall apply in all its provisions to those members of the armed forces now on active duty and to all persons inducted or called on active duty hereafter and shall remain in effect until the termination of the Korean conflict, and provided further that

said section and the remaining sections of this act shall also be effective during a period of armed hostilities as declared by the Congress and President of the United States.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Order Vacated

On motion of Mr. Rainie of Concord the order whereby House Bill No. 371, An Act relative to mileage rate to Warner, New Hampshire was referred to the Committee on Judiciary was vacated and the bill was referred to the Committee on Executive Departments and Administration.

Senate Message

A message sent down from the Honorable Senate, by its clerk, announced that:

The Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bill to the following entitled bill:

House Bill No. 159, An Act relating to the crossing of public lands and waters by utilities and others.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 18, An Act relative to membership of the board of managers of the New Hampshire Soldiers' Home.

House Bill No. 103, An Act relating to the sale of artificial flowers and flags.

The message also announced that:

The Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 7, An Act relating to the minority of veterans.

Senate Bill Read and Referred

Senate Bill No. 7, An Act relating to the minority of veterans.

Read a first and second time and referred to the Committee on Military and Veterans Affairs.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles and joint resolution by their captions only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

Third Readings

House Bill No. 11, An Act relative to compensation for members of the barbers' examining and licensing board, and to fees for renewal of certain licenses.

House Bill No. 22, An Act relative to the board of registration of hairdressers and licenses for the practice of hairdressing.

House Bill No. 175, An Act relative to the audit and post audit of state accounts.

House Bill No. 318, An Act relative to motor vehicle operator's licenses held by military personnel.

House Joint Resolution No. 32, A Joint Resolution providing an appropriation for repair of dams.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 39, An Act naming the Hampton River toll bridge.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Martin of Littleton at 11:41 o'clock the House adjourned.

TUESDAY, MARCH 31, 1953

The House met according to adjournment.

Prayer was offered by the Chaplain.

"Faith of our fathers, Faith and prayer
Have kept our country brave and free,
And through the truth that comes from God,
Her children have true liberty."

Give us, O God, this faith of our fathers. We would not return to the conditions under which they lived and sacrificed to build this great nation, but we would ask Thee to help us have that same faith that reached up and grasped Almighty power, that we, the inheritors of the fruits of their faith and deeds, may pass this freedom on to posterity. Help us our Father, that we do not lose faith in one another. While we not infrequently hold different opinions on seemingly fundamental issues, may we not allow those differences to destroy our faith in the sincerity of others. And above all, may we not lose faith in ourselves, but ever remember that we are Thy children and created in Thy image, and thus retain the dignity Thou hast put on us. Through Jesus Christ our Lord. *Amen*

Leaves of Absence

Messrs. Geisel of Manchester and Perkins of Alton were granted leave of absence for the day on account of important business.

Mr. Haley of Keene was granted leave of absence for two weeks on account of important business.

Messrs Washburn of Bartlett and Chamberlin of Bath were granted leave of absence for the week on account of important business.

Introduction of Bills

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Faulkner of Keene, House Bill No. 411, An Act relative to members of the County Convention who are not members of the Legislature. To the Committee on Municipal and County Government.

By Mr. English of Hancock, House Bill No. 412, An Act relative to weather modifications. To the Committee on Resources, Recreation and Development.

By Mr. Nichols of Center Harbor, House Bill No. 413, An Act relative to licensure by the public welfare department. To the Committee on Public Welfare and State Institutions.

By Mr. Maxham of Concord, House Bill No. 414, An Act relative to prior service credits under the state employees

retirement system. To the Committee on Executive Departments and Administration.

By Mr. Smith of Manchester, House Bill No. 415, An Act relative to the highway commission of the city of Manchester and union bargaining agencies. To the Delegation from the City of Manchester.

By Mr. Downs of Conway, House Joint Resolution No. 46, Joint Resolution in favor of Voyin P. Stoykovich. To the Committee on Appropriations.

Printing Dispensed With

On motion of Mr. Pillsbury of Manchester the rules were so far suspended as to dispense with the printing of House Joint Resolution No. 46.

Mr. Pillsbury of Manchester moved that the rules be so far suspended as to allow the introduction of a bill.

The question being on the motion to suspend the rules.

(Discussion Ensued)

Mr. Pillsbury of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion to suspend the rules was adopted.

Introduction of a Bill

House Bill No. 416, An Act relative to expiration of registration of motor vehicles in certain cases.

Read a first and second time, laid upon the table to be printed and referred to the Committee on Transportation.

On motion of Mr. Pillsbury of Manchester the rules were so far suspended as to dispense with the printing, and reference to Committee and the bill was put upon its third reading and final passage, by title only, at the present time.

The bill was read a third time and passed and was sent to the Senate for concurrence.

Reconsideration

On motion of Mr. Rainie of Concord the House voted to reconsider the vote whereby the House voted as inexpedient to legislate Senate Bill No. 27, An Act to authorize administration of small estate upon giving bond without sureties.

On motion of Mr. Rainie of Concord the bill was then

recommitted to the Committee on Executive Departments and Administration.

Report of Committee on Engrossed Bills

Mrs. Hundley of Portsmouth for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Joint Resolution and House Bills:

House Joint Resolution No. 2, Joint Resolution relative to lookout tower on Crotched Mountain.

House Bill No. 31, An Act relative to protection from adulterated and misbranded foods, drugs, devices and cosmetics.

House Bill No. 159, An Act relating to the crossing of public lands and waters by utilities.

The report was accepted.

Committee Reports

Mrs. Atwood of Sanbornton for the Committee on Appropriations to whom was referred House Bill No. 183, An Act relative to per diem and mileage expenses of members of the county convention who are not representatives. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out all after the word "of" in the thirteenth line and inserting in place thereof the words and figures, chapters 117 and 301, Laws of 1949, said per diem compensation and mileage shall be paid from the county treasury, so that said section as amended shall read as follows:

1. *County Conventions.* Amend section 20-a of chapter 44 of the Revised Laws, as inserted by section 2 of chapter 172, Laws of 1945, and as amended by section 2, chapter 155, Laws of 1951, by striking out said section and inserting in place thereof the following: 20-a. *Meetings: Expenses.* The chairman of the convention may call such further regular meetings of the county convention to be held at the state houe in Concord during each biennial session of the general court as are necessary and proper for the conduct of its business, and notice of such meetings shall be sufficient when printed for two legis-

lative days in the journal of the house of representatives. The members of the county convention who are not representatives shall be entitled to receive three dollars per day for actual attendance at regular meetings and mileage expenses as provided for attendance of legislators under the provisions of chapters 117 and 301, Laws of 1949, said per diem compensation and mileage shall be paid from the county treasury.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Pillsbury of Manchester for the Committee on Appropriations to whom was referred House Bill No. 359, An Act making appropriation for motor vehicle department, state police, fish and game department and public works and highways. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the last paragraph and inserting in place thereof the following:

Authority is hereby given to expend such balances as may exist July 1, 1953, and any income received in excess of $4,403,000. from motor vehicle fees, $7,163,000. from gasoline road toll, $925,000. from highway garage, and $2,937,500. from federal aid shall be available for such further expenditure as may be approved by the governor and council.

Amend section 2 of said bill by striking out the last paragraph and inserting in place thereof the following:

Authority is hereby given to expend such balances as may exist July 1, 1954, and any income received in excess of $4,424,000, from motor vehicle fees, $7,396,000. from gasoline road toll $950,000. from highway garage, and $2,710,000. from federal aid shall be available for such further expenditure as may be approved by the governor and council.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mrs. Hundley of Portsmouth for the Committee on Education to whom was referred Senate Bill No. 60, An Act disannexing certain homesteads in the town of Bedford from the city of Manchester for school purposes. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Holden of Hanover for the Committee on Judiciary to whom was referred House Bill No. 226, An Act relative to marking ballots at elections. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out paragraph II and inserting in place thereof the following:

II. If the voter so desires he may vote for a candidate whose name is not printed under the circle in which he has marked a cross he shall erase or cancel the name of the candidate in such column for whom he refuses to vote, and may vote for the candidate of his choice by marking a cross (x) in the square opposite the name of such candidate, or by writing in the name of the person for whom he desires to vote in the right-hand column prepared for the purpose. In such case the vote so marked in the square, or so inserted in the right-hand column, shall be counted, and such ballot shall not be counted for the candidate for the same office whose name is erased.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mrs. Studley of Rochester for the Committee on Judiciary to whom was referred House Bill No. 261, An Act relative to compensation of acting judges of probate. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the word "five" in the fourth line, so that said section as amended shall read as follows:

1. *Judges of Probate.* Amend section 16, chapter 346, Revised Laws, by striking out said section and inserting in place thereof the following: 16. *Compensation of Acting Judge.* Such judge shall be allowed twenty dollars for each day he may be employed in attending such court, and a reasonable compensation for his travel and expenses, which shall be paid by the executor, administrator, guardian or trustee of the estate in relation to which such case may arise, and shall be allowed him on settlement of his account.

Amend section 2 of said bill by striking out the word "five"

in the eighth line, so that said section as amended shall read as follows:

2. *Increase in Fee.* Amend section 18 of said chapter 346 by striking out said section and inserting in place thereof the following: 18. *Vacancy, etc.* Whenever there is a vacancy in the office of the judge of any court, or he shall be unable to attend at a regular term of the probate court, the register of probate shall call upon the judge of some other county in this state, who shall act during said vacancy or inability of the judge to attend. Said judge shall receive twenty dollars a day and his traveling expenses for each day of actual service, which sum shall be paid by the county in which he sits.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Matthews of New Hampton for the Committee on Judiciary to whom was referred House Bill No. 279, An Act relative to the care, treatment and rehabilitation of sexual psychopaths. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 3 of said bill by striking out the words "six months" in the third line and inserting in place thereof the words, one year, so that said section as amended shall read as follows:

3. *Parole.* Amend section 7 of chapter 314 of the Laws of 1949 by inserting after paragraph II of the said section the following new paragraph: III. The commission may release on parole for not more than one year at one time any sexual psychopath upon recommendation of the director that the person is improved and that, in his opinion, he is no longer dangerous to himself or others. The commission may establish the terms and conditions of such parole. The director may at any time for any reason revoke the parole and order the parolee to be returned to the institution from which he was paroled, under the original commitment. Such order shall be enforced by any officer in the state authorized to make arrests.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Faulkner of Keene for the Committee on Judiciary to whom was referred House Bill No. 296, An Act repealing

provisions for the issuance of search warrants. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Jewett of Concord for the Committee on Municipal and County Government to whom was referred Senate Bill No. 23, An Act authorizing the town of Newport to fund or refund its indebtedness. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Leonard of Franklin for the Committee on Municipal and County Government to whom was referred House Bill No. 51, An Act relating to limitation of municipal budget committee. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Leonard of Franklin for the Committee on Municipal and County Government to whom was referred House Bill No. 256, An Act relating to the municipal budget law. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Williams of Grafton for the Committee on Municipal and County Government to whom was referred House Bill No. 320, An Act relative to liability between counties for support of paupers. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Kimball of Moultonborough for the Committee on Municipal and County Government to whom was referred House Bill No. 328, An Act relative to policemen's retirement system. Having considered the same, reported the same

with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Special Order

Mr. Kearns of Manchester called for the Special Order, it being the amendment to House Rule No. 5.

The question being on the amendment.

(Discussion Ensued)

Mr. Kearns of Manchester spoke in favor of the amendment.

Mr. Pillsbury of Manchester offered the following amendment:

Amend said rule as printed in Journal of March 26, by striking out the word "elected" in the tenth line and inserting in place thereof the word, appointed, and by inserting after the word "party" in the same line the word, floor; further amend by striking out the word and figures "January, 1955" in the last line and inserting in place thereof the words and figures, on the last Wednesday of December, 1954, so that said rules as amended shall read as follows:

5. All committees shall be appointed by the Speaker unless otherwise directed by the House. Provided, the membership on all standing committees of the House shall be divided between the two major political parties in the same proportion that the membership of the House belonging to the majority party bears to the House membership of the minority party bears to the House membership of the minority party. The appointments to committees for the majority party shall be made by the Speaker and appointments to committees for the minority party shall be made by the Speaker with the advice and consent of the duly appointed minority party floor leader. These rules to take effect on the last Wednesday of December, 1954.

The question being on the amendment.

(Discussion Ensued)

Mr. Pillsbury of Manchester spoke in favor of the amendment.

Mr. Perley of Lebanon spoke against the amendment.

Mr. Perley of Lebanon offered the following amendment

to the amendment offered by the member from Manchester.

Amend said rule by striking out the following sentence, The appointments to committees for the majority party shall be made by the Speaker and appointments to committees for the minority party shall be made by the Speaker with the advice and consent of the duly elected minority party leader, so that said rule as amended shall read as follows:

5. All committees shall be appointed by the Speaker unless otherwise directed by the House. Provided, the membership on all standing committees of the House shall be divided between the two major political parties in the same proportion that the membership of the House belonging to the majority party bears to the House membership of the minority party. These rules to take effect on the last Wednesday of December 1954.

The question being on the amendment to the amendment.

(Discussion Ensued)

Messrs. Perley of Lebanon, Brown of Loudon and McMeekin of Haverhill spoke in favor of the amendment to the amendment.

Messrs. Malley of Somersworth, Pillsbury of Manchester, Waling of Keene, Kearns and Healy, Ward 6, of Manchester, and Fernald of Rochester spoke against the amendment to the amendment.

On a *viva voce* vote the amendment to the amendment was not adopted.

Mr. Hart of Laconia called for a division.

A division being had 108 members having voted in the affirmative, and 197 members having voted in the negative, the amendment to the amendment was not adopted.

The question being on the amendment offered by the member from Manchester.

On a *viva voce* vote the amendment was adopted.

The question being on the amendment to House Rule No. 5, as amended.

Mr. Hayes of Concord offered the following amendment:

Amend said rules by striking out the words "and consent" in the tenth line, so that said rule as amended shall read as follows: 5. All committees shall be appointed by the Speaker

unless otherwise directed by the House. Provided, the membership on all standing committees of the House shall be divided between the two major political parties in the same proportion that the membership of the House belonging to the majority party bears to the House membership of the majority party. The appointments to committees for the majority party shall be made by the Speaker and appointments to committees for the minority party shall be made by the Speaker with the advice of the duly appointed minority party floor leader. These rules to take effect on the last Wednesday of December 1954.

The question being on the amendment.

(Discussion Ensued)

Messrs. Hayes of Concord, Eldredge of Exeter, and Scamman of Stratham spoke in favor of the amendment.

Messrs. Pillsbury and Kearns of Manchester, spoke against the amendment.

Mr. Durkee of Seabrook moved that the amendment to rule 5 with the pending amendment be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion Ensued)

Mr. Eldredge of Exeter spoke in favor of the motion.

Messrs. Kearns of Manchester, Wadleigh of Milford, and Mrs. Frizzell of Charlestown spoke against the motion.

On a *vica voce* vote the motion to indefinitely postpone did not prevail.

The question being on the amendment offered by the member from Concord.

Mr. Rainie of Concord called for a division.

A division being had 204 members having voted in the affirmative and 109 members having voted in the negative the amendment was adopted.

The question being on the amendment to Rule No. 5, as amended.

On a *vica voce* vote the amendment to Rule No. 5 as amended was adopted.

Senate Message

A message sent down from the Honorable Senate, by its clerk, announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 178, An Act relative to increasing benefits under workmen's compensation law.

House Bill No. 211, An Act relative to non-resident trustees.

House Bill No. 217, An Act relative to unemployment compensation weekly benefit rate.

House Bill No. 234, An Act relative to charitable and educational donations by business corporations.

House Bill No. 416, An Act relative to expiration of motor vehicles in certain cases.

The message further announced that:

The Senate recommends that the following entitled bills be referred to the Judicial Council.

House Bill No. 237, An Act relative to guardians of mentally incompetent persons.

House Bill No. 238, An Act relative to trustees of estates.

House Bill No. 239, An Act relative to sale of investments by guardians of minors.

The message further announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 148, An Act relating to the appointment of child placing agencies as guardians.

Amend the Bill by striking out all after the enacting clause and substituting in place thereof the following:

1. *Appointment.* Amend section 6 of chapter 342 of the Revised Laws by adding after the words "public welfare" the words, New Hampshire Children's Aid Society, New Hampshire Catholic Charities, Inc., Family Service of Concord, New Hampshire, so that said section shall read as follows: 6. *Petitioners; Appointment.* The probate court in the county in

which any minor is residing may, after reasonable notice to the parents, appoint a guardian for such minor, who shall have during the minority of his ward the full custody and control of said ward and his estate and earnings, upon petition of the mayor, overseer of the poor, or selectmen of the city or town in which the minor is residing, the county commissioners, the commissioner of public welfare, New Hampshire Children's Aid Society, New Hampshire Catholic Charities, Inc., or Family Service of Concord, New Hampshire, such petition setting forth that the parents of said minor, or other person having his custody, are unfit to have the custody and control of said minor and of his estate and earnings, or that his parents are living apart and the circumstances are such that the interests of such minor require that a guardian be appointed.

2. *Institution.* Amend section 9 of chapter 342 of the Revised Laws, by striking out after the word "welfare" in the second line the word, or, and by inserting after the word "children" in the third line the words, the New Hampshire Children's Aid Society, the New Hampshire Catholic Charities, Inc. or Family Service of Concord, New Hampshire, so that said section as amended shall read as follows: 9. *Institutional Guardians.* Any home for orphans situated in and incorporated under the laws of this state, the commissioner of public welfare, the Family Service of Concord, New Hampshire, the New Hampshire Children's Aid Society, or the New Hampshire Catholic Charities, Inc. may be appointed guardian of any minor.

3. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mrs. Millar of Claremont the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that:

The Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 26, An Act to authorize the allowance of probate accounts of fiduciaries upon written consent of interested parties.

Senate Bill No. 34, An Act relating to the filing of small claims.

Senate Bills Read and Referred

Senate Bill No. 26, An Act to authorize the allowance of probate accounts of fiduciaries upon written consent of interested parties.

Senate Bill No. 34, An Act relating to the filing of small claims.

Severally read a first and second time and referred to the Committee on Executive Departments and Administration.

Resolution

Mr. Spaulding of Hudson offered the following resolution:

Whereas, we have learned with pleasure that the member from Westmoreland, Oscar Billings, is today celebrating his 78th birthday, Now therefore be it

Resolved, that we, his fellow members of the House of Representatives, congratulate him and pray that his future be one of good health and happiness.

On a *vica voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles only.

Third Readings

House Bill No. 183, An Act relative to per diem and mileage expenses of members of the county convention who are not representatives.

House Bill No. 226, An Act relative to marking ballots at elections.

House Bill No. 261, An Act relative to compensation of acting judges of probate.

House Bill No. 279, An Act relative to the care, treatment and rehabilitation of sexual psychopaths.

House Bill No. 296, An Act repealing provisions for the issuance of search warrants.

House Bill No. 320, An Act relative to liability between counties for support of paupers.

House Bill No. 328, An Act relative to policemen's retirement system.

House Bill No. 359, An Act making appropriations for the motor vehicle department, state police, fish and game department, public works and highways.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 23, An Act authorizing the town of Newport to fund or refund its indebtedness.

Senate Bill No. 60, An Act disannexing certain homesteads in the town of Bedford from the city of Manchester for school purposes.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Martin of Littleton at 1:11 o'clock the House adjourned.

WEDNESDAY, APRIL 1, 1953

The House met at 11:00 o'clock.

Prayer was offered by guest chaplain, Rev. William Keefe, Pastor, Methodist Churches in Chichester and Penacook.

O God most high, the only Ruler, grant and continue unto us wisdom from thee. Endow all members of this legislature with a right understanding, a pure purpose and sound speech. Grant that their hearts and minds may be filled with the love of thy laws, and of that which is righteous and life-giving. Enable them to rise above all self-seeking and party zeal into the larger sentiments of public good and human brotherhood. Give strength, honor, and charity to all the citizens of this noble state, that they may do their work well and may search to find a common fellowship which seeks the welfare of everyone. Sustain unto all men a vision of freedom and a peaceful and happy citizenry. Give us self-restraint, that we may do thy will on earth as it is done in heaven, even through Jesus Christ Our Lord. *Amen.*

Leaves of Absence

Mr. Nickerson of Tamworth was granted leave of absence for Wednesday and Thursday on account of important business.

Messrs. Sheehy of Newfields, and Jones of Fremont were granted leave of absence for the day on account of important business.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Scamman of Stratham, House Bill No. 417, An Act relating to Unemployment Compensation. To the Committee on Labor.

By Mrs. Atwood of Sanbornton, House Bill No. 418, An Act relating to the Belknap County Recreational Area. To the Delegation from Belknap County.

By Mr. Scamman of Stratham, House Bill No. 419, An Act relating to Unemployment Compensation. To the Committee on Labor.

Report of Committee on Engrossed Bills

Mrs. Hundley of Portsmouth, and Mrs. Corliss of Manchester for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled Senate and House Bills:

Senate Bill No. 38, An Act repealing special acts relating to hospitals in Nashua.

Senate Bill No. 39, An Act naming the Hampton River Toll Bridge.

House Bill No. 18, An Act relative to membership of the board of managers of the New Hampshire Soldiers' Home.

House Bill No. 103, An Act relating to the sale of artificial flowers and flags.

House Bill No. 142, An Act relating to compensation for members of organizations for civil defense.

House Bill No. 178, An Act relative to increasing benefits under workmen's compensation law.

House Bill No. 189, An Act authorizing the city of Portsmouth to raise money and to issue bonds for school purposes.

House Bill No. 211, An Act relative to nonresident trustees.

House Bill No. 217, An Act relative to unemployment compensation weekly benefit rate.

House Bill No. 234, An Act relative to charitable and educational donations by business corporations.

House Bill No. 416, An Act relative to expiration of registration of motor vehicles in certain cases.

The report was accepted.

Report of Committee of Conference

The Committee of Conference to whom was referred House Bill No. 122, An Act relative to special motor vehicle plates, reported the same with the following recommendation:

That the House recede from its position of nonconcurrence and concur in the amendment sent down from the Honorable Senate.

CHARLES H. WHITTIER
MAURICE F. YOUMANS
JOHN J. KEARNS
Conferees on the part of the House
MARGERY W. GRAVES
FRANCIS J. HEROUX
Conferees on the part of the Senate

The report was accepted.

The question being on agreeing to the report of the Committee of Conference.

(Discussion Ensued)

Mr. Whittier of Bethlehem spoke in favor of the question.

Mr. Eldredge of Exeter spoke against the question.

On a *viva voce* vote the report of the Committee of Conference was agreed to.

Mr. Eldredge of Exeter called for a division.

A division being had 204 members having voted in the affirmative and 93 members having voted in the negative the report of the Committee of Conference was agreed to.

Committee Reports

Mr. Beamis of Somersworth for the Committee on Ju-

diciary to whom was referred House Bill No. 15, An Act entitled uniform business records as evidence act. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Saidel of Manchester for the Committee on Judiciary to whom was referred House Bill No. 35, An Act relative to commitment to jail for non-payment of fines. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Healy of Manchester, Ward 6, for the Committee on Judiciary to whom was referred House Bill No. 25, An Act conferring jurisdiction upon Superior Court of Actions founded on implied contracts. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Ladd of Epping for the Committee on Agriculture to whom was referred House Bill No. 349, An Act relative to frozen desserts. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mrs. Brungot of Berlin offered the following amendment.

Amend paragraph II of the printed bill as inserted by section 1 by striking out the word "ten" in the forty seventh line and inserting in place thereof the word, fourteen; further amend by striking out the word "ten" in the fifty first line and inserting in place thereof the word, twelve, and by striking out the word "eight" in the fifty fourth line and inserting in place thereof the word, twelve, so that said paragraph as amended shall read as follows: II. *Ice Cream.* Ice cream shall mean the pure, clean frozen product resulting from a combination of two or more of the following ingredients: milk products; egg ingredients; sweetening ingredients; stabilizers or emulsifers; with or without harmless flavoring and color. It shall contain not less than fourteen per cent by weight of milk fat

in the finished product except that when fruit, nuts, cocoa or chocolate, sirup, cakes or confections are used for the purpose of flavoring, it shall contain not less than twelve per cent by weight of milk fat in the finished product except for such reduction in milk fat as is due to the addition of such flavoring, but in no case shall it contain less than twelve per cent by weight of milk fat in the finished product. Ice cream may be seasoned with salt and may be homogenized. It is frozen while being stirred and the finished product shall contain not less than thirty six per cent total solids and shall weigh not less than four and one-half pounds to the gallon.

The question being on the amendment.

(Discussion Ensued)

Mrs. Brungot of Berlin and Messrs. Green of Rollinsford, Wadleigh of Milford, and Vogel of Canterbury spoke in favor of the amendment.

Miss Spollett of Hampstead and Mrs. Richards of Exeter spoke against the amendment.

Mr. English of Hancock moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

Messrs. English of Hancock, Barry of Wilton, Hayes of Concord, Reid of Litchfield, Martel of Manchester, Cummings of Peterborough, Jones of Lebanon, Carlton of Marlborough, Green of Rollinsford, Metcalf of Tilton, and Vogel of Canterbury and Mrs. Brungot of Berlin spoke in favor of the motion.

Mesdames Hayes of Northumberland, Frizzell of Charlestown, Studley of Rochester, Loizeaux of Plymouth, and Woodward of Waterville and Messrs. Bunten of Concord, Heald of Keene, Malley of Somersworth, Pillsbury of Manchester and Eastman of Kensington spoke against the motion.

Mr. Hart of Laconia moved the previous question.

The question being:

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion to indefinitely postpone did not prevail.

The question being on the amendment offered by the member from Berlin.

On a *viva voce* vote the chair was in doubt.

Mr. Pillsbury of Manchester called for a division.

A division being had 227 members having voted in the affirmative, and 76 members having voted in the negative the amendment was adopted.

The bill was ordered to a third reading.

Mr. Martel of Manchester moved that the rules be so far suspended as to put House Bill No. 349 upon its third reading and final passage by title only, at the present time.

On a *viva voce* vote the motion prevailed, the bill was read a third time and passed and was sent to the Senate for concurrence.

Reconsideration

Mr. Ferguson of Pittsfield moved that the House reconsider its vote whereby it voted to pass House Bill No. 349, An Act relative to frozen desserts.

The question being on the motion to reconsider.

(Discussion Ensued)

Mrs. Brungot of Berlin spoke against the motion.

On a *viva voce* vote the motion to reconsider did not prevail.

Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 61, An Act relative to the salary of the special justice of the municipal court of Concord.

Amend section 1 of the bill by striking out in line 10 the word "three" and substituting in place thereof the word, ten.

Further amend section 1 by striking out in lines 11 and 12 the words "except in Concord the remuneration shall be five dollars" so that said section as amended shall read as follows: 1. *Concord Municipal Court.* Amend section 4 of chapter

377 of the Revised Laws, as amended by chapters 179 and 260 of the Laws of 1947, by inserting after the word "capacity" in the seventh line the words, except in Concord the remuneration shall be five dollars, and by striking out in the tenth and eleventh lines the words "five hundred" and inserting in place thereof the words, one thousand, so that said section as amended shall read as follows: 4. *Compensation of Special Justices.* The special justice and justice of the peace requested to sit owing to the disqualification of the justice and special justice shall be paid, from the treasury of the city or town wherein said court is located, ten dollars a day for each day or part thereof that he shall serve in said capacity; provided, that the annual salaries of the special justices of the municipal courts of the following cities and town shall be as follows, of Manchester eighteen hundred dollars, of Nashua fifteen hundred dollars, of Concord one thousand dollars, of Portsmouth four hundred dollars, of Laconia two hundred dollars, and of Hampton one hundred and fifty dollars, to be paid by said cities and town, respectively, quarterly, and shall be in lieu of any other compensation or fees to such justices.

On motion of Mr. Perkins of Concord, Ward 3 the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 101, An Act relative to the salaries of the Hillsborough County Commissioners.

Amend the bill by renumbering section 2 to read section 3 and inserting a new section to read section 2 as follows:

Section 2. Hillsborough County Hospital shall be named the Moore General Hospital.

On motion of Mr. Pillsbury of Manchester the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

House Bill No. No. 60, An Act to increase the salary of the justice of the municipal court of Concord.

House Bill No. 155, An Act to increase the salaries of the Justices of the Supreme and Superior Courts.

House Bill No. 248, An Act authorizing the Hooksett School district to issue bonds.

House Bill No. 317, An Act relative to rights of retired teachers.

House Joint Resolution No. 9, Joint Resolution providing for a deficiency appropriation for communicable disease control.

House Joint Resolution No. 26, Joint Resolution in favor of the town of Stewartstown in the county of Coos.

The message further announced that:

The Senate refused to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 129, An Act relating to the general exemption from property taxes of certain privately owned airports.

The message also announced that:

The Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 40, An Act relative to the salary of the treasurer of Grafton County.

Senate Bill No. 57, An Act relative to the construction of a dormitory at Keene Teachers College, to be liquidated from income.

Senate Bill Read and Referred

Senate Bill No. 40, An Act relative to the salary of the treasurer of Grafton County.

Read a first and second time and referred to a special committee consisting of the delegation from the County of Grafton.

Senate Bill No. 57, An Act relative to the construction of a dormitory at Keene Teachers College, to be liquidated from income.

Read a first and second time and referred to the Committee on Appropriations.

Committee Assignments

The Speaker announced the following committee assignments:

To the Committee on Agriculture, Potter of Milan vice Flint of Milan, deceased.

To the Committee on Education, MacDonald of Kingston vice McReel of Exeter, resigned.

To the Committee on Judiciary, Mudgett of Conway vice Hill of Conway, deceased.

To the Committee on Municipal and County Government: Ecker of Manchester vice French of Weare, deceased.

To the Committee on Municipal and County Government: Robinson of Antrim vice Walker of Hinsdale, resigned.

Resolution

Mrs. Cooper of Nashua offered the following resolution:

Whereas, Today, April 1, is the birthday of Margaret A. Griffin, Representative from Auburn, therefore be it

Resolved, That we extend our very best wishes to our fellow legislator for a Happy Birthday today and for many more to come.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles only.

Third Readings

Senate Bill No. 15, An Act entitled uniform business records as evidence act.

Senate Bill No. 25, An Act conferring jurisdiction upon Superior Court for actions founded on implied contracts.

Senate Bill No. 35, An Act relative to commitment to jail for non-payment of fines.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Miss Woodward of Waterville at 1:06 o'clock the House adjourned.

THURSDAY, APRIL 2, 1953

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Rev. Wm. B. Wylie, Pastor Methodist Church of Fremont.

Almighty God, the Father of our Savior Jesus, we are grateful for the light which comes into our souls at this season of the year as we look again to the defeat of the powers of darkness. We are continually grateful that it was not possible that Thy Son should be permanently holden in death. Help us to realize how important was that first Easter, when an answer was found to that age long question "If a man dies shall he live again?"

Grant that the faith and hope of the Easter Victory may be a driving power in our lives. may they be a part of all of our choosings and doings. Help us that we might base the standard of our own lives on the character and career of Christ Himself. Hear us as we show the strength of our appreciation for all that Thou hast done for us in the past, and that which Thou propose to do for us in the life to come. We pray in the name of our Lord and Savior Christ. *Amen.*

Leaves of Absence

Messrs. Spaulding of Hudson, Powell of Sutton and Whittier of Bethlehem were granted leave of absence for the day on account of important business.

Introduction of a Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Rules Committee (Mr. Matthews of New Hampton) House Bill No. 420, An Act to provide for a revision of the public laws. To the Committee on Judiciary.

Committee Reports

Miss Loizeaux of Plymouth for the Committee on Appropriations to whom was referred House Bill No. 32, An Act relating to students attending educational institutions under reciprocal agreements. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 3 of the bill by striking out the same and inserting in place thereof the following:

3. *Appropriation.* There shall be appropriated the sum of five thousand dollars for the fiscal year ending June 30, 1954, and a like sum for the year ending June 30, 1955, and annually there after to carry out the provisions of this act, and if the sum so appropriated for any year is not entirely used, the remaining shall not lapse; provided, however, that no individual shall be eligible to receive the benefits provided for by this act for a period of more than four years. Provided, further, that of the sums so appropriated for the years ending June 30, 1954, and June 30, 1955, at least one-half of said sums shall be used for undergraduate work.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Davis of Hopkinton for the Committee on Appropriations to whom was referred House Bill No. 298, An Act relative to bounties on porcupines. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Miss Loizeaux of Plymouth for the Committee on Appropriations to whom was referred House Bill No. 258, An Act relative to the certification of payroll manifests by the director of personnel. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 3 of the bill by striking out the words and figures "as of July 1, 1953" and inserting in place thereof the words, upon its passage, so that section 3 as amended shall read as follows: 3. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Miss Loizeaux of Plymouth for the Committee on Appropriations to whom was referred House Joint Resolution No. 28, Joint Resolution in favor of the estate of James A. Robinson. Having considered the same, reported the same with the recommendation that the Joint Resolution ought to pass.

The report was accepted.

The question being; shall the joint resolution be ordered to a third reading?

(Discussion Ensued)

Mr. Soucy of Manchester spoke against the question.

Mr. Ferguson of Pittsfield moved that the words "inexpedient to legislate" be substituted for the report of the committee, ought to pass.

(Discussion Ensued)

Mr. Ferguson of Pittsfield spoke in favor of the motion.

Messrs. Brown of Laconia, Barry of Wilton, Wadleigh of Milford, and Pillsbury of Manchester and Mrs. Holmes of Amherst spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail, and the joint resolution was ordered to a third reading.

Vote Recorded

Mr. Soucy of Manchester, Ward 1 wished to be recorded as voting YES on the motion to substitute the words "inexpedient to legislate" on House Joint Resolution No. 28.

Mr. Scamman of Stratham for the Committee on Appropriations to whom was referred House Joint Resolution No. 41, Joint Resolution in favor of Lawrence A. White. Having considered the same, reported the same with the recommendation that the Joint Resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Young of Pittsfield for the Committee on Education to whom was referred House Bill No. 312, An Act providing for a revolving fund for use by the state technical institutes. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Robinson of Gorham for the Committee on Education to whom was referred House Bill No. 380, An Act relative to transportation of children to schools. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Richards of Exeter for the Committee on Executive Departments and Administration to whom was referred Senate Bill No. 24, An Act relative to fees for corporations procuring passage of private acts. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Goodwin of Hudson for the Committee on Executive Departments and Administration to whom was referred Senate Bill No. 29, An Act relative to write-in votes at primary elections. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Lamson of New London for the Committee on Insurance to whom was referred House Bill No. 231, An Act relating to extended coverage in policies of liability insurance. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Beamis of Somersworth for the Committee on Judiciary to whom was referred House Bill No. 319, An Act relating to powers of municipal courts in cities and certain towns. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Beamis of Somersworth for the Committee on Judiciary to whom was referred House Bill No. 321, An Act relative to disposition of certain fines collected by municipal courts. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Mendenhall of Dunbarton for the Committee on

Military and Veteran's Affairs to whom was referred Senate Bill No. 7, An Act relating to the minority of veterans. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Clow of Wolfeboro for the Committee on Public Health to whom was referred House Bill No. 111, An Act providing for safety to life in places of assembly. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Place of Assembly.* Amend paragraph I of section 1 of chapter 153 of the laws of 1943 by striking out said paragraph and inserting in place thereof the following: I. "Places of Assembly" shall mean a room or space in which provision is made for the congregation or assembly of one hundred or more persons for religious, recreational, educational, political, social or amusement purposes or for the consumption of food or drink. For the purpose of this definition such room or space shall include any occupied connecting rooms, space or area on the same level or in the same story, or in a story or stories above or below, where entrance is common to the rooms, space or areas, and it shall mean a tent or area covered by canvas, in which provision is made for the congregation or assembly of fifty or more persons for religious, recreational, educational, political, social, or amusement purposes or for the consumption of food or drink. For the purpose of this definition of such tent and area covered by canvas it shall include connected tents, spaces or areas covered by canvas where entrance is common to the tents or canvas-covered areas.

The report was accepted, and the amendment laid upon the table to be printed under rule 48.

Mrs. Otis of Concord for the Committee on Public Health to whom was referred House Bill No. 173, An Act relating to the practice of medicine. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the word

"twenty-five" in the third line and inserting in place thereof the word, fifteen, so that said section as amended shall read as follows: 1. *Board of Examiners.* Amend chapter 250 of the Revised Laws by adding a new section as follows: 22. *Compensation.* The members of the board may receive a per diem of fifteen dollars for meetings and examinations. Said board shall receive no compensation in excess of the fees received, and shall be of no expense to the state beyond such amount.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Clow of Wolfeboro for the Committee on Public Health to whom was referred House Bill No. 397, An Act relative to washing of all bottles before being returned to stores. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Morey of Hart's Location for the Committee on Public Works to whom was referred House Bill No. 408, An Act relative to class III recreational roads. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out in the fifth, sixth and seventh and twenty-sixth and twenty-seventh lines the words "and the so-called Shingle Pond road in the towns of Allenstown and Deerfield at Bear Brook State Park" so that said section as amended shall read as follows:

1. *Recreational Roads.* Amend section 6 of part 2 of chapter 90 of the Revised Laws, as inserted by chapter 199, Laws of 1945, and as amended by section 2, chapter 215, Laws of 1947, section 1, chapter 230, Laws of 1949, and section 2, chapter 177, Laws of 1951, by inserting after the word "Jaffrey" in the twenty-second line the words, and the road to the beach development at Mt. Sunapee State Park in the town of Newbury, so that said section as amended shall read as follows: 6. *Class III Recreational Roads.* The department of public works and highways shall assume full control of reconstruction and maintenance of roads designated by the forestry and recreation commission and highway commissioner within the

following state reservations and rights of way thereto, and such roads shall be known as recreational roads; Belknap State Reservation in the town of Gilford; Cathedral Lodge State Reservation in the towns of Conway and Bartlett; the Arethusa Falls road in the town of Hart's Location; Pillsbury State Reservation in the town of Washington; White Lake State Park in the town of Tamworth; Pawtuckaway State Reservation in the towns of Nottingham and Deerfield; Milan Hill State Park in the town of Milan; Cardigan State Reservation in the town of Orange; Kearsarge State Reservation in the town of Wilmot; Mt. Sunapee State Park in the town of Newbury; Rhododendron State Reservation in the town of Fitzwilliam; Bear Brook State Reservation in the towns of Deerfield, Hooksett, Allenstown and Candia; and the road formerly known as the Kearsarge Mountain Toll road in the town of Warner, extending from the original toll gate location to its terminus near the summit of Kearsarge Mountain; and Monadnock State Forest Reservation in the town of Jaffrey, and the road to the beach development at Mt. Sunapee State Park in the town of Newbury. The cost of reconstruction and maintenance shall be a charge upon the highway funds. This section shall not be construed as affecting the control of the forestry and recreation department over parking areas or other facilities within said reservations.

The report was accepted.

On motion of Mr. Ingham of Winchester reading of the amendment was dispensed with.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Merrill of Hampton for the Special Committee consisting of the delegation from the county of Rockingham to whom was referred House Bill No. 353, An Act increasing the salary of Rockingham County Commissioners. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate had voted to adopt the following concurrent resolution, in the adoption of which it asks the concurrence of the House of Representatives.

CONCURRENT RESOLUTION ENDORSING AND SUPPORTING THE DEFENSE BOND DRIVE

Whereas, The Defense Bond Drive is to begin on April 1, and

Whereas, It is of vital importance to our country that this drive be successful, therefore be it

Resolved By the Senate, the House of Representatives concurring, That the Honorable Senate and the members of the House hereby endorse and give their support to this drive.

On motion of Mrs. Williams of Grafton the House concurred in the adoption of the concurrent resolution sent down from the Honorable Senate.

The message further announced that:

The Senate had voted to adopt the report of the committee of conference on

House Bill No. 122, An Act relative to special motor vehicle plates.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 185, An Act relative to the expiration of licenses to operate, and increasing fees for motor vehicle operators.

House Bill No. 263, An Act relative to registration of farm trucks.

House Bill No. 358, An Act extending the powers of the Maine-New Hampshire interstate bridge authority.

House Bill No. 387, An Act relative to the sewer system in the town of Meredith.

The message further announced that:

The Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 51, An Act relating to registration and license fees; penalties, etc.

Senate Bill No. 52, An Act relating to the operation of motor vehicles.

Senate Bill No. 53, An Act relating to licenses to operate motor vehicles.

The message also announced that:

The Senate had passed the following joint resolution, in the passage of which it asks the concurrence of the House of Representatives:

Senate Joint Resolution No. 3, Joint Resolution relating to a survey and study of utilizing abandoned roads.

Senate Bills and Joint Resolution Read and Referred

Senate Bill No. 51, An Act relating to registration and license fees; penalties, etc.

Read a first and second time and referred to the Committee on Executive Departments and Administration.

Senate Bill No. 52, An Act relating to the operation of motor vehicles.

Senate Bill No. 53, An Act relating to licenses to operate motor vehicles.

Severally read a first and second time and referred to the Committee on Transportation.

Senate Joint Resolution No. 3, Joint Resolution relating to a survey and study of utilizing abandoned roads.

Read a first and second time and referred to the Committee on Resources, Recreation and Development.

Resolutions

Mr. Martel of Manchester offered the following resolution:

Whereas, Good Friday occurring April 3, 1953 and

Whereas, being publicly mindful and fully appreciative on this eventful anniversary,

Now therefore, we, the members of the House of Representatives, do and hereby resolve to observe at the present moment, a one-minute period of silent meditation to commemorate the sufferings and the death on the Cross, of the Son of God, Our Lord and Saviour Jesus Christ, for the salvation of mankind.

On a *viva voce* vote the resolution was adopted.

Mr. Fernald of Rochester offered the following resolution:

Whereas, Oliver R. Shattuck of Alton has passed away, and

Whereas, Mr. Shattuck was a former Member of the House of Representatives, and

Whereas, He was noted for his paintings of wildlife and portraits and painted the murals in the State House and designed the Eisenhower inauguration parade float and painted the Old Man of the Mountain for the float, therefore, be it

Resolved, That we, the Members of the House of Representatives pay tribute to our former associate for his many accomplishments and public service to his town, state and country, and express to his family our deepest sympathy in its bereavement, and be it further

Resolved, That when the House adjourns today, it be in memory of former Representative Shattuck and that the Clerk of the House send a copy of these resolutions to his wife.

On a *viva voce* vote the resolution was adopted.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles and joint resolution by their captions only, and that when the House adjourns today it be to meet Tuesday morning a 11:00 o'clock.

Third Readings

House Bill No. 32, An Act relating to students attending educational institutions under reciprocal agreements.

House Bill No. 173, An Act relating to the practice of medicine.

House Bill No. 258, An Act relative to the certification of payroll manifests by the director of personnel.

House Bill No. 298, An Act relative to bounties on porcupines.

House Bill No. 319, An Act relating to powers of municipal courts in cities and certain towns.

House Bill No. 321, An Act relative to disposition of certain fines collected by municipal courts.

House Bill No. 408, An Act relative to class III recreational roads.

House Joint Resolution No. 28, Joint Resolution in favor of the estate of James A. Robinson.

House Joint Resolution No. 41, Joint Resolution in favor of Lawrence A. White.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 7, An Act relating to the minority of veterans.

Senate Bill No. 24, An Act relative to fees for corporations procuring passage of private acts.

Senate Bill No. 29, An Act relative to write-in votes at primary elections.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Richards of Exeter at 12.27 o'clock the House adjourned.

TUESDAY, APRIL 7, 1953

The House met according to adjournment.

Prayer was offered by the chaplain.

O God our Creator, and who hast given to us that inner something we call Conscience, help us to pray as did the great Apostle: "I thank God whom I serve with a clear conscience, as did my fathers." Aid us to prize, as we ought, that priceless inheritance, an enlightened conscience. We have seen its glory and dominating power in days past in the noble souls of men and women, who have made history. For conscience' sake men and women stood true to the Christian faith when they knew they stood face to face with death; for conscience' sake the founders of this country crossed the ocean and endured hardships to give to themselves and posterity the freedom that rightly belonged to them. Grant unto us, O God, a conscience at once sensitive and sensible, and raise our standard daily into closer conformity to Thy will. Through Jesus Christ our Lord. *Amen*

Leaves of Absence

Mr. Weeks of Greenland was granted leave of absence for the week on account of illness.

Mr. Robb of Manchester was granted leave of absence for the day on account of illness.

Mr. Pinkham of Northwood was granted leave of absence for Tuesday and Wednesday on account of important business.

Report of Committee on Engrossed Bills

Mrs. Corliss of Manchester, and Mrs. Landers of Keene for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled Senate and House Bills:

Senate Bill No. 7, An Act relating to the minority of Veterans.

Senate Bill No. 24, An Act relative to fees for corporations procuring passage of private acts.

Senate Bill No. 25, An Act conferring jurisdiction upon Superior Court of actions founded on implied contracts.

Senate Bill No. 29, An Act relative to write-in votes at primary elections.

Senate Bill No. 35, An Act relative to commitment to jail for non-payment of fines.

House Bill No. 122, An Act relative to special motor vehicle plates.

House Bill No. 263, An Act relative to registration of farm trucks.

House Bill No. 358, An Act extending the powers of the Maine-New Hampshire interstate bridge authority.

House Bill No. 387, An Act relative to the sewer system in the town of Meredith.

House Joint Resolution No. 9, Joint Resolution providing for a deficiency appropriation for communicable disease control.

House Joint Resolution No. 26, Joint Resolution in favor of the town of Stewartstown in the county of Coos.

Senate Bill No. 23, An Act authorizing the town of Newport to fund or refund its indebtedness.

Senate Bill No. 60, An Act disannexing certain home-

steads in the town of Bedford from the city of Manchester for school purposes.

House Bill No. 60, An Act to increase the salary of the justice of the municipal court of Concord.

House Bill No. 155, An Act to increase the salaries of the justices of the supreme and superior courts.

House Bill No. 248, An Act authorizing the Hooksett school district to issue bonds.

House Bill No. 317, An Act relative to rights of retired teachers.

The report was accepted.

Mr. Hyde of Andover for the Committee on Engrossed Bills to whom was referred House Bill No. 101, An Act relative to the salaries of the Hillsborough county commissioners. Having considered the same, reported the same under Joint Rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by inserting at the end thereof the words, and naming the Hillsborough county hospital, so that said title as amended shall read as follows:

An Act relative to the salaries of the Hillsborough county commissioners, and naming the Hillsborough county hospital.

The report was accepted.

On motion of Mr. Pillsbury of Manchester, the House adopted the amendment proposed by the committee on engrossed bills.

The bill was then sent to the Senate for concurrence.

Mrs. Hundley of Portsmouth for the Committee on Engrossed Bills to whom was referred Senate Bill No. 15, An Act entitled uniform business records as evidence act. Having considered the same, reported the same under Joint Rule 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act establishing a uniform business records as evidence act.

The report was accepted.

On motion of Mr. Wadleigh of Milford the House adop-

ted the amendments proposed by the committee on engrossed bill.

The bill was then sent to the Senate for concurrence.

Mrs. Mahoney of Concord for the Committee on Engrossed Bills to whom was referred House Bill No. 148, An Act relating to the appointment of child placing agencies as guardians. Having considered the same, reported the same under Joint rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first four lines and inserting in place thereof the following:

1. *Guardians.* Amend section 6 of chapter 342 of the Revised Laws as amended by section 1, chapter 128, Laws of 1947, by striking out the words "the New Hampshire Society for the Prevention of Cruelty to Children," and inserting in place thereof the words, Family Service of Concord, New Hampshire, so that said section as amended

Amend section 2 of said bill by striking out the first six lines and inserting in place thereof the following:

2. *Family Service.* Amend section 9 of chapter 342 of the Revised Laws as amended by section 2, chapter 128, Laws of 1947, by striking out the words "the New Hampshire Society for the Prevention of Cruelty to Children" and inserting in place thereof the words, the Family Service of Concord, New Hampshire, so that said section as amended shall read as follows:

The report was accepted.

On motion of Mrs. Millar of Claremont the House adopted the amendments proposed by the committee on engrossed bill.

The bill was then sent to the Senate for concurrence.

Committee Reports

Mr. Hepworth of Derry for the Committee on Executive Departments and Administration to whom was referred House Bill No. 260, An Act relative to slot machines. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Common Nuisance.* Amend section 11 of chapter 447 of the Revised Laws by striking out said section and inserting in place thereof the following: 11. *Gambling Machines.* Any device, mechanism or slot machine which is used or designed for the purpose of a lottery or gaming, or which is used or designed to discharge any money or merchandise or any tokens that may be exchanged for money or merchandise, or which is used or designed to display any symbol entitling any person by reason of such display to receive money or merchandise, is hereby declared to be a common nuisance and shall be seized upon detection by any police officer, sheriff, constable or deputy, and the same shall be forfeited in the manner provided in chapter 432 of the Revised Laws.

Further amend the bill by inserting a new section as follows:

2. *Possession.* Further amend said chapter 447 by inserting after said section 11 a new section as follows: 11a. *Possession, Penalty.* Any person who shall have in his possession a device, mechanism or slot machine which is used or designed for the purpose of a lottery or gaming, or which is used or designed to discharge money or merchandise or tokens that may be exchanged for money or merchandise, or which is used or designed to display any symbol entitling any person by reason of such display to receive merchandise or money, shall be fined not more than five hundred dollars or imprisoned not more than one year or both. Any person who, having an interest in a device, mechanism or slot machine, shall collect or receive any money from said device, mechanism or slot machine, or for the use thereof, while the same shall be kept or used as herein provided, shall be fined not more than five hundred dollars or imprisoned not more than one year or both.

Further amend the bill by renumbering section 2 to read section 3.

The report was accepted, and the amendment laid upon the table under Rule 48.

Mrs. Cooper of Nashua for the Committee on Judiciary to whom was referred House Bill No. 249, An Act relating to business corporations. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3. *Meetings.* Amend section 80 of chapter 274 of the Revised Laws by striking out said section and inserting in its place the following: 80. *Place; Time.* The organization meeting of the incorporators shall be held in this state at such place and time as determined by sections 6 and 7 of this chapter. Meetings of stockholders shall be held in this state unless otherwise provided by the articles of agreement, and at such time and place within the state as shall be fixed by the by-laws. Although stockholders' meetings outside of the state may be authorized by the articles of agreement, no such stockholders' meetings, if held outside the state of New Hampshire, shall be valid unless within ten days thereafter there shall be filed with the clerk of the corporation a record of such meeting, sworn to under penalties of perjury by the clerk pro tempore.

Further amend said bill by inserting after section 3 the following new sections:

4. *Amendments.* Amend section 12 of chapter 274 of the Revised Laws by striking out said section and inserting in place thereof the following: 12. *Amendments of Articles of Agreement or Action Taken Prior to Issuance of Stock.* In case the articles of agreement or any action taken at the organization meeting (other than action relating solely to the by-laws) shall be amended by the incorporators before any stock shall have been issued, a record of amendment, signed and sworn to by the treasurer and a majority of the directors, shall be prepared, setting forth a true copy of the vote effecting such amendment, and stating that it has been duly adopted by the incorporators. Such record shall be submitted to, and examined, certified and endorsed by, the attorney-general or deputy attorney-general in the same manner as if such amendment had been adopted by the stockholders subsequent to the issue of stock and shall, together with such endorsement thereon, be recorded in the office of the secretary of state upon payment of the fee as herein provided. Such amendment shall not take effect until such record of amendment shall have been deposited for record as aforesaid and the fee therefor shall have been paid.

5. *Fees.* Amend section 113 of chapter 274 of the Revised Laws, as amended by section 4, chapter 265, Laws of 1949, by striking out said section and inserting in place thereof

the following: 113. *Amendments.* The fee for recording any record of amendment required by section 12 or section 45 which embodies an increase in the authorized capital stock, shall be such sum as, when added to the fees paid at the time of the original authorization and prior increase, if any, will make the total fees accord with the foregoing schedule; provided, however, that the minimum fee shall be ten dollars.

6. *Increase in Fees.* Amend section 114 of chapter 274 of the Revised Laws, by striking out said section and inserting in place thereof the following: 114. *Certificates.* The fee for recording any certificates required by section 35 or any record of amendment required by section 12 or section 45 which does not embody an increase in the authorized capital stock shall be ten dollars.

Further amend said bill by renumbering section 4 to read section 7.

The report was accepted, and the amendment laid upon the table under Rule 48.

The Special Committee consisting of the delegation from the city of Manchester to whom was referred House Bill No. 180, An Act relating to the salaries of the justice, special justice and clerk of the municipal court of Manchester. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Manchester Special Justice.* Amend section 4 of chapter 377 of the Revised Laws, as amended by chapters 179 and 260 of the Laws of 1947 and chapter 26 of the Laws of 1953, by striking out the word "eighteen" in the eighth line and inserting in place thereof the word, twenty-three, so that said section as amended shall read as follows: 4. *Compensation of Special Justices.* The special justice and justice of the peace requested to sit owing to the disqualification of the justice and special justice shall be paid, from the treasury of the city or town wherein said court is located, three dollars a day for each day or part thereof that he shall serve in said capacity; provided, that the annual salaries of the special justices of the municipal courts of the following cities and town shall be as follows, of Manchester twenty-three hundred dollars,

of Nashua fifteen hundred dollars, of Dover two hundred dollars, of Concord five hundred dollars, of Portsmouth four hundred dollars, of Laconia two hundred dollars, and of Hampton one hundred and fifty dollars, to be paid by said cities and town, respectively, quarterly, and shall be in lieu of any other compensation or fees to such justices.

Amend section 2 of the bill by striking out the word "twenty-five" in the fourth and eighth lines and inserting in place thereof the word, twenty-three, so that said section as amended shall read as follows:

2. *Manchester Municipal Court Clerk.* Amend section 8 of chapter 377 of the Revised Laws, as amended by chapters 252 and 253 of the Laws of 1947, by striking out the word "eighteen" in the fourth line and inserting in place thereof the word, twenty-three, so that said section as amended shall read as follows: 8. *Salaries.* The clerk of the Portsmouth municipal court shall receive an annual salary of eight hundred dollars, the clerk of the Manchester municipal court shall receive an annual salary of twenty-three hundred dollars, to be paid by the respective cities in equal monthly payments; the salaries of all other clerks of municipal courts in cities or towns of five thousand population or more shall be not less than three hundred dollars, and as much more as the city or town in which said court is located may vote to pay.

Amend section 3 of the bill by striking out said section and inserting in place thereof the following:

3. *Manchester Municipal Justice.* Amend paragraph I of section 31 of chapter 377 of the Revised Laws, as amended by chapter 232 of the Laws of 1947, by striking out the words "three thousand eight hundred" in the fifth line and inserting in place thereof the words, four thousand three hundred" so that said paragraph as amended shall read as follows: I. *Salaries of Justices.* Salaries of justices of municipal courts shall be paid from the treasury of the city or town in which such courts are located, may be paid quarterly or monthly, and shall be in the following sums per annum:

In Manchester, four thousand three hundred dollars;
In Nashua, two thousand eight hundred dollars;
In Concord, two thousand eight hundred dollars;
In Portsmouth, one thousand eight hundred dollars;
In Dover, one thousand eight hundred dollars;
In Laconia, one thousand eight hundred dollars;

In Keene, one thousand eight hundred dollars;
In Claremont, one thousand eight hundred dollars;
In Berlin, one thousand eight hundred dollars;
In Rochester, one thousand two hundred dollars;
In Lebanon, one thousand dollars;
In Newport, nine hundred dollars;
In Derry, nine hundred dollars;
In Franklin, nine hundred dollars;
In Exeter, eight hundred dollars;
In Somersworth, eight hundred dollars;
In Littleton, eight hundred dollars;
In Milford, six hundred dollars.

The report was accepted, and the amendment laid upon the table under Rule 48.

Mr. Foote of Portsmouth for the Committee on Liquor Laws to whom was referred House Bill No. 63, An Act relating to spirituous liquor and beverages. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Licenses for Restaurants.* Amend chapter 170 of the Revised Laws by inserting after section 19 thereof the following new section: 19-a. The commissioner may issue a license to any first class restaurant in any city or town provided such restaurant also holds a permit as provided in section 59 and further provided that the city or town where said restaurant is located has voted to permit the issuance of permits therein by the liquor commission. The determination of what is a first-class restaurant is to be within the discretion of the commission. Said license shall entitle the licensee to sell liquor by the glass and fortified wines by the bottle, if the cork is drawn, to be consumed only in the regular dining rooms of such restaurant, with meals.

Further amend the bill by striking out section 2 and inserting in place thereof the following:

2. *Fees.* Amend chapter 170 of the Revised Laws by inserting after section 21 the following new section: 21-a. *First-Class Restaurants.* The annual fee for each license as provided in section 19-a shall be three hundred dollars. The commission may, however, issue part-time licenses to summer

restaurants under the provisions of section 19a and in such case the fee for such part-time restaurant license shall not be less than fifty dollars nor more than three hundred dollars per annum. Said fees for the part-time license shall be determined by the commission upon the volume or probable volume of business of the licensee.

The Minority of the Committee on Liquor Laws to whom was referred House Bill No. 63, An Act relating to spirituous liquor and beverages. Having considered the same and being unable to agree with the majority, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

ALFRED W. POORE
HOWARD W. KIRK
DAVID DEANS, JR.
ARTHUR P. GALE
JOHN H. YEATON
THOMAS F. McCAFFREY
For the Minority of the Committee.

The reports were accepted.

Mr. Deans of Milford moved that the report of the minority, inexpedient to legislate, be substituted for the report of the majority ought to pass with amendment.

The question being on the motion to substitute.

(Discussion Ensued)

Messrs. Deans of Milford, and Reed of Goffstown, spoke in favor of the motion to substitute.

Messrs. Danforth of Manchester, and Brown of Laconia, spoke against the motion to substitute.

(Mr. Wells of Newton in Chair)

Messrs. Rathbone and Eldredge of Exeter, and Mesdames Frizzell of Charlestown, and Hayward of Hanover spoke in favor of the motion to substitute.

Mrs. St. Pierre of Rochester, Messrs. Malley of Somersworth, and Plumer of Bristol spoke against the motion to substitute.

(Speaker in Chair)

Mesdames Millar of Claremont, Funkhouser of Durham,

Richards of Exeter and Messrs. Hyde of Andover, and Rainie of Concord spoke in favor of the motion to substitute.

Messrs. Waling of Keene, Young of Pittsfield, Jones of Lebanon, and Gingras of Ashland spoke against the motion to substitute.

Mr. Spaulding of Hudson moved the previous question.

The question being:

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the minority report that it is inexpedient to legislate.

Mr. Corbett of Concord demanded the yeas and nays and the roll was called with the following result:

Roll Call

Yeas — 184

MERRIMACK COUNTY: Hyde, Holmes of Boscawen, Flanders, Moore, Vogel, Marden, Tebbetts, Hancock, Otis, Lessels, Jewett, Rainie of Concord, Saltmarsh, Bunten, Cilley, Maxham, Walker of Concord, Mahoney, Sargent, Nutter, Douphinette, Leonard, Patenaude, Davis of Hopkinton, Brown of Loudon, Wilman, Thibeault, Ferguson, Youmans.

HILLSBOROUGH COUNTY: Holmes of Amherst, Robinson, Wiggin, Farwell, Hambleton, Jennings, Reed of Goffstown, Fortin, English, Hadley, Reid of Litchfield, Warren, Corliss, Pillsbury, Connor, Kean, Bergeron, Peaslee of Merrimack, Deans, Falconer, Wadleigh, Colburn, Cooper, Ramsdell, Brosnahan, Grandmaison, Locke of New Boston, Thompson of New Ipswich, Cummings, Dutton.

CHESHIRE COUNTY: Burnham, Dort, Maynard of Fitzwilliam, Maloney, Clark of Harrisville, Belletete, Spofford, Kirk, Landers, Wheeler, Bennett, Heald, Codding, Carlton, Blake, Kershaw, Billings, Ingham of Winchester.

SULLIVAN COUNTY: Frizzell, Converse, Millar, Davis of Cornish, Smith of Langdon, Wirkkala, Perry, Roe, Vaughan, Jordan, DeLude.

GRAFTON COUNTY: Eggleston, Williams, Atkins, Fuller, Hayward, Holden of Hanover, Sleeper, Adams of Lebanon, Cole, Martin, Howard, Bell of Plymouth, Loizeaux, Barney, Horner, Anderson, Woodward.

COOS COUNTY: Alls, Emerson, Kimball of Jefferson,

Simonds, Swett, Potter, Hayes, Hilliard, Weeks of Stewartstown, Stinson, Taylor.

ROCKINGHAM COUNTY: Brock, Griffin of Auburn, Hepworth, Ladd, Eldredge, Rathbone, Richards, Spollett, Merrill of Hampton, Ring, Thurlow, Eastman, Parmenter, McCaffrey, Wells, Carter, McDaniel, Sadler, Yeaton, Wardwell, Ingraham, Philbrick, Durkee.

STRAFFORD COUNTY: Swain, Leighton, Grimes, Fellows, Webb, Connell, Crandall, Locke of Dover, Funkhouser, Littlehale, Blanchard, Wormhood, Nehring, Rolfe, Maxfield, Nelson, Studley, Clement, Fernald, Brown of Strafford.

BELKNAP COUNTY: Perkins of Alton, McAllister, Roeder, Nichols, Robertson, Hart, Stafford, Tilton of Laconia, Burbank, Varrell, Kipp, Smith of Meredith, Matthews, Atwood, Metcalf of Tilton.

CARROLL COUNTY: Washburn, Benson, Downs, Mudgett, Gale, Diffenderfer, Nickerson, Hodgdon, Clow, Ford.

Nays — 165

MERRIMACK COUNTY: Baron, Dodge, Ferrin, Hayes, Corbett, Comi, Nawn, Mendenhall, Broadhurst, Burke, Thompson of Franklin, DuDevoir, Mulaire, Lamson, Payeur, Young.

HILLSBOROUGH COUNTY: Black, Goodwin of Hudson, Spaulding, Lang of Manchester, Saidel, Soucy of Manchester, Ward 1, Cain, Danforth, Geisel, Horan, Sullivan, Fitzgerald, Nolan, Betley, Healy of Manchester, ward 5, Hurley, Clancy, Healy of Manchester, ward 6, Ecker, LeClerc, Poirier, Tessier, Constant, Delisle, Genest, Langlois, Cary, Gagnon, Auger, Kearns, O'Neil, Attalla, Lareau, Soucy of Manchester, ward 12, Vaillancourt, Chapdelaine, Dupont, Gauthier, Lesmerises, Thibodeau, Cannon, Donnelly, Boire, Temple, Belcourt, Morrissette, Ayers, Maynard of Nashua, Pappagianis, Dionne, Shea of Nashua, Chartrain, Ryan, Dugas, Dutilly, Janelle, Pelletier, Bouthillier, Dumais, Mailloux, Barry.

CHESHIRE COUNTY: Thomas, Sweeney of Keene, Faulkner, Barton, Waling, Sherwin, Lang of Troy, Killeen, Rhodes, Thompson of Winchester.

SULLIVAN COUNTY: Angus, Howe, Firestone, Nahil, Marcotte of Claremont, Stone, Holden of Newport.

GRAFTON COUNTY: Gingras, Chamberlin of Bath, Whittier, Plumer, Willey, Peabody, McMeekin, Stockwell, Ashley,

Jones, Fred of Lebanon, Jones, Victor of Lebanon, Perley, Griffin of Lincoln, Fox, Gardner of Littleton, Longchamps, Dixon, Carr, Sawyer.

Coos COUNTY: Dussault, Hinchey, Henderson, Sheridan, Brungot, Christiansen, Bouchard, Fontaine, Theriault, Oakes, Robinson, Ross, Boutain.

ROCKINGHAM COUNTY: Dudley, Wastcoat, Barka, Jones of Fremont, MacDonald, Sheehy, Labranche, Sewall, Seel, Barrett, Hundley, Payette, Foote, Murch, Joyce, Leary, Smart, Waterhouse.

STRAFFORD COUNTY: Chase, Keenan, Marcotte of Dover, Flanagan, Stearns, LaCasse, St. Pierre, Green of Rollinsford, Lagueux, Letourneau, Charpentier, Beamis, Malley.

BELKNAP COUNTY: Gardner of Gilford, Morin, Simoneau, O'Shan, Brown of Laconia.

CARROLL COUNTY: Morey, Kimball of Moultonborough, Hodge.

Pairs

Mr. Powell of Sutton voting Yes, paired with Mr. Gamsby of Sunapee voting No.

Mr. Poore of Goffstown voting Yes, paired with Mr. Lorden of Enfield voting No.

Mrs. Goodwin of Hollis voting Yes, paired with Mr. Freeman of Nashua voting No.

Mr. Martel of Manchester voting Yes, paired with Mr. Callahan of Manchester voting No.

Mr. Peever of Salem voting Yes, paired with Mr. Casey of Manchester voting No.

Mr. McCarthy of Manchester voting Yes, paired with Mr. Roche of Manchester voting No.

Mr. Peaslee of Wakefield voting Yes, paired with Mr. Pinkham of Northwood voting No.

And the motion to substitute the minority report prevailed.

The question being on the resolution of the Committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Angus of Claremont asked for a division.

A division being had 180 members having voted in the

affirmative and 155 members having voted in the negative, the resolution of the Committee was adopted.

Reconsideration

Mr. Rainie of Concord moved that the House reconsider its vote whereby the House voted as inexpedient to legislate House Bill No. 63, An Act relating to spirituous liquor and beverages.

The question being on the motion to reconsider.

Mr. Angus of Claremont demanded the yeas and nays.

Mr. Rainie of Concord withdrew his motion for a reconsideration, and subsequently Mr. Angus of Claremont withdrew his demand for a roll call.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 66, An Act relative to placing or throwing obstructions on the highways or other public places, and relative to the penalties for the removal of certain nuisances.

Amend section 1 of said bill by inserting at the end thereof the words: Provided that nothing herein shall be construed as affecting authorized collections of such articles as garbage or refuse, so that said section as amended shall read as follows:

1. *Highways and Other Public Places*: Amend section 22 part 19 chapter 188 of the Laws of 1945 by striking out said section and inserting in place thereof the following:

22. *Throwing, Depositing and Dumping of Refuse: Penalty.* If any person shall put or place, or cause to be put or placed, in or upon any highway, street, square, lane, alley, public bathing place or the approaches thereto, or into any public waters, streams or watercourse or other public place in any city or town any bottles, glass, crockery, cans, scrap metal, junk, paper, garbage, old automobile or parts thereof or refuse of any nature whatsoever or any noxious thing, he shall be fined not more than twenty-five dollars.

Provided that nothing herein shall be construed as affect-

ing authorized collections of such articles as garbage or refuse.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Nuisances.* Amend section 13 of chapter 165, Revised Laws, as amended by section 2, chapter 133 of the Laws of 1949 by striking out said section and inserting in place thereof the following: 13. *Offensive Matter.* If a person shall place, leave, or cause to be placed or left, in or near a highway, street, alley, public place or wharf, or shall allow to be exposed unburied, any animal or other substance liable to become putrid or offensive, or injurious to the public health or deposits garbage or refuse on premises not designated as public dumping facilities in accordance with the provisions of sections 26 to 32, he shall be fined not more than twenty-five dollars; and the health officer shall remove or cause to have removed the same. Provided that nothing herein shall be construed as affecting authorized collections of garbage or refuse.

On motion of Mr. Geisel of Manchester the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

Order Vacated

On motion of Mr. Pillsbury of Manchester, the order whereby House Bill No. 180, An Act relating to the salaries of the justice, special justice and clerk of the municipal court of Manchester was laid upon the table for printing of the amendments under Rule 48, was vacated and the bill was taken up at the present time.

The question being on the amendment.

On motion of the same member, reading of the amendment was dispensed with.

On a *viva voce* vote the amendment was adopted.

Mr. Gagnon of Manchester moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion Ensued)

Mr. Gagnon of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Dupont of Manchester demanded the yeas and nays but subsequently withdrew his demand.

Mr. Gagnon of Manchester demanded the yeas and nays but subsequently withdrew his demand.

The bill was ordered to a third reading.

Resolution

Mr. Vogel of Canterbury offered the following resolution.

Whereas, Sterling A. Hirtle has passed away, and

Whereas, He was a Representative from the town of Canterbury during the sessions of 1941-1943 and 1947, therefore be it

Resolved, That we, the members of the House of Representatives, pay tribute to our former associate for his services to his town and state, and express our deep sympathy to the family in its bereavement, and be it further

Resolved, That when the House adjourns today, it be in memory of former Representative Hirtle, and that the Clerk of the House transmit to Mrs. Hirtle a copy of these resolutions.

On a rising vote the resolution was unanimously adopted.

Mrs. Mahoney of Concord offered the following resolution:

Whereas, Albert A. Vogel, Representative from Canterbury, was married yesterday, April 6, 1953, therefore be it

Resolved, That we, the Members of the House of Representatives, hereby extend our congratulations to our Fellow Member on this occasion and also our very best wishes to him and his wife for a happy married life.

On a *viva voce* vote the resolution was adopted.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles only.

Third Readings

House Bill No. 180, An Act relating to the salaries of the

justice, special justice and clerk of the municipal court of Manchester.

Read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Frizzell of Charlestown at 2:41 o'clock the House adjourned.

WEDNESDAY, APRIL 8, 1953

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain Rev. Ralph S. Huffer, Pastor of the First Parish Church, Congregational, Dover.

"Almighty God, we thank thee for rest and health; for work to do and strength to do it; and for all the surroundings of our life that make it desirable and enjoyable. Do Thou raise our thoughts and purify our aspirations. Strengthen our wills, we beseech Thee, on the side of what is right; and against what is wrong and evil; through Jesus Christ, our Lord."

Amen

Leaves of Absence

Mr. Robb of Manchester was granted leave of absence for the remainder of the week on account of illness.

Notice of Reconsideration

Mr. McAllister of Barnstead served notice that today or some subsequent day he would move to reconsider the vote whereby the House voted inexpedient to legislate House Bill No. 63, An Act relative to spirituous liquor and beverages.

Reconsideration

Mr. Rainie of Concord moved that the House reconsider its vote whereby the House voted inexpedient to legislate, House Bill No. 63, An Act relative to spirituous liquor and beverages, at the present time.

Mr. Pillsbury of Manchester moved the previous question.

The question being.

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to reconsider.

Mr. Corbett of Concord demanded the yeas and nays and the roll was called with the following result:

Roll Call

Yeas—162

MERRIMACK COUNTY: Baron, Dodge, Ferrin, Hayes, Corbett, Comi, Nawn, Broadhurst, Burke, Thompson of Franklin, DuDevoir, Mulaire, Payeur, Young.

HILLSBOROUGH COUNTY: Black, Abbott, Spaulding, Lang of Manchester, Saidel, Soucy of Manchester, ward 1, Cain, Danforth, Geisel, Horan, Sullivan, Fitzgerald, Nolan, Betley, Hurley, Callahan, Casey, Clancy, Healy of Manchester, ward 6, Ecker, Paradis, Tessier, Constant, Delisle, Genest, Langlois, Cary, Gagnon, Auger, Bergeron, Kearns, O'Neil, Roche, Attalla, Laureau, Soucy of Manchester, ward 12, Vaillancourt, Chapdelaine, Dupont, Gauthier, Lesmerises, Thibodeau, Cannon, Donnelly, Boire, Temple, Belcourt, Morrissette, Ayers, Maynard of Nashua, Pappagianis, Dionne, Shea of Nashua, Chartrain, Ryan, Dugas, Janelle, Pelletier, Bouthillier, Dumais, Mailloux, Barry.

CHESHIRE COUNTY: Thomas, Sweeney of Keene, Barton, Waling, Sherwin, Lang of Troy, Killeen, Rhodes, Thompson of Winchester.

SULLIVAN COUNTY: Angus, Howe, Nahil, Marcotte of Claremont, Stone, Metcalf of Springfield, Gamsby.

GRAFTON COUNTY: Gingras, Chamberlin of Bath, Whittier, Plumer, Willey, Brown of Easton, Peabody, McMeekin, Stockwell, Jones, Fred of Lebanon, Jones, Victor of Lebanon, Perley, Griffin of Lincoln, Fox, Gardner of Littleton, Longchamps, Dixon, Carr, Sawyer.

COOS COUNTY: Dussault, Hinchey, Henderson, Sheridan, Brungot, Christiansen, Bouchard, Fontaine, Theriault, Robinson, Ross, Boutain.

ROCKINGHAM COUNTY: Dudley, Wastcoat, Barka, Cushing, Jones of Fremont, MacDonald, Labranche, Sewall, Seel, Barrett, Hundley, Payette, Murch, Joyce, Leary, Smart, Mafera, Waterhouse.

STRAFFORD COUNTY: Chase, Keenan, Marcotte of Dover,

Connell, Flanagan, Stearns, Carignan, Lacasse, St. Pierre, Lagueux, Letourneau, Charpentier, Beamis.

BELKNAP COUNTY: Gardner of Gilford, Morin, Simoneau, Karagianis, O'Shan, Brown of Laconia.

CARROLL COUNTY: Morey, Kimball of Moultonborough.

Nays—196

MERRIMACK COUNTY: Hyde, Holmes of Boscawen, Flanders, Moore, Vogel, Marden, Tebbetts, Hancock, Otis, Lessels, Jewett, Rainie of Concord, Saltmarsh, Bunten, Cilley, Maxham, Walker of Concord, Mahoney, Sargent, Mendenhall, Nutter, Douphinette, Leonard, Patenaude, Davis of Hopkinton, Brown of Loudon, Lamson, Ferguson, Powell, Youmans.

HILLSBOROUGH COUNTY: Holmes of Amherst, Robinson, Wiggin, Farwell, Hambleton, Jennings, Poore, Reed of Goffstown, Fortin, English, Hadley, Goodwin of Hollis, Reed of Litchfield, Warren, Corliss, Pillsbury, Connor, Martel, Kean, Peaslee of Merrimack, Deans, Faloner, Wadleigh, Colburn, Cooper, Ramsdell, Brosnahan, Dutilly, Grandmaison, Locke of New Boston, Thompson of New Ipswich, Cummings, Dutton.

CHESHIRE COUNTY: Burnham, Dort, Maynard of Fitzwilliam, Malony, Clark of Harrisville, Belletete, Spofford, Kirk, Landers, Wheeler, Bennett, Heald, Codding, Faulkner, Carlton, Blake, Kershaw, Billings, Ingham of Winchester.

SULLIVAN COUNTY: Frizzell, Converse, Firestone, Millar, Davis of Cornish, Smith of Langdon, Holden of Newport, Perry, Roe, Vaughan, Jordan, DeLude.

GRAFTON COUNTY: Eggleston, Williams, Atkins, Fuller, Hayward, Holden of Hanover, Sleeper, Adams of Lebanon, Cole, Martin, Howard, Bell of Plymouth, Loizeaux, Barney, Horner, Anderson, Woodward.

COOS COUNTY: Alls, Oakes, Emerson, Kimball of Jefferson, Simonds, Swett, Potter, Hayes, Hilliard, Weeks of Stewartstown, Taylor.

ROCKINGHAM COUNTY: Brock. Griffin of Auburn, Hepworth, Ladd, Eldredge, Rathbone, Richards, Spollett, Merrill of Hampton, Ring, Thurlow, Eastman, Parmenter, McCaffrey, Wells, Carter, McDaniel, Sadler, Foote, Yeaton, Wardwell, Ingraham, Philbrick, Haigh, Noyes, Peever, Durkee.

STRAFFORD COUNTY: Swain, Leighton, Grimes, Fellows,

Webb, Crandall, Locke of Dover, Funkhouser, Littlehale, Blanchard, Wormhood, Nehring, Rolfe, Maxfield, Nelson, Studley, Clement, Feranld, Green of Rollinsford, Malley, Brown of Strafford.

BELKNAP COUNTY: McAllister, Roeder, Nichols, Robertson, Hart, Stafford, Tilton of Laconia, Burbank, Varrell, Kipp, Smith of Meredith, Matthews, Atwood, Metcalf of Tilton.

CARROLL COUNTY: Washburn, Benson, Downs, Mudgett, Gale, Diffenderfer, Hodge, Nickerson, Hodgdon, Peaslee of Wakefield, Clow, Ford.

And the motion to reconsider did not prevail.

Report of Committee on Engrossed Bills

Mr. Hyde of Andover for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Bills and House Joint Resolution:

House Bill No. 174, An Act relating to household chemicals.

House Bill No. 185, An Act relative to the expiration of licenses to operate, and increasing fees for motor vehicle operators.

House Bill No. 193, An Act relative to sale of brook trout for use as food.

House Bill No. 265, An Act relative to eligibility for public assistance.

House Bill No. 274, An Act relative to burial of indigent persons.

House Bill No. 351, An Act relative to old-age and survivors insurance coverage for public employees.

House Joint Resolution No. 16, Joint Resolution in favor of the county of Coos.

The report was accepted.

Committee Reports

Mr. Saidel of Manchester for the Committee on Judiciary to whom was referred Senate Bill No. 36, An Act relating to the terms of superior court. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Dixon of Lyme for the Committee on Judiciary to whom was referred Senate Bill No. 37, An Act relating to the entry and other fees in superior court. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Faulkner of Keene for the Committee on Judiciary to whom was referred Senate Bill No. 43, An Act relating to probate licenses to sell chattels. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Diffenderfer of Ossipee for the Committee on Labor to whom was referred House Bill No. 216, An Act amending the Unemployment Compensation Law. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 13 of the bill by striking out said section and inserting in place thereof the following:

13. *Administrative Penalty.* Amend section 13 of said chapter 218, as amended by section 23, chapter 138 of the Laws of 1945, section 10, chapter 140 and section 8, chapter 152 of the Laws of 1951, by inserting after subsection A the following new subsection: A-1. Whoever wilfully makes a false statement or representation or knowingly fails to disclose a material fact to obtain or increase any benefit or other payment under this chapter, either for himself, or for any other person, may, in the discretion of the commissioner, be determined to be ineligible to receive benefits for not less than four nor more than fifty-two consecutive weeks from the date of such offense. For each week of determined ineligibility, an amount equal to the individual's benefit rate during such week shall be deducted from the maximum benefits available to him during the benefit year in which such week falls, but no change shall be made in his weekly benefit amount because of this deduction. Any proceeding or action taken under this

subsection shall be in lieu of and not in addition to any action or proceeding taken under subsection A of this section. An appeal may be taken from such determination in the manner provided in section 5-G of this chapter.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Hancock of Concord for the Committee on Labor to whom was referred House Bill No. 284, An Act relative to workmen's compensation. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Ladd of Epping for the Joint Committee on Public Health and Agriculture to whom was referred House Bill No. 264, An Act to prevent the feeding of untreated garbage to swine. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Bennett of Keene for the special Committee consisting of the delegation from the city of Keene to whom was referred House Bill No. 394, An Act providing primary elections for the city of Keene. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words "The supervisors of the checklist in each ward shall fix the polling place therein and give notice thereof when the checklist for the primary is first posted" in lines nine, ten and eleven, and inserting in place thereof the words, The selectmen in each ward shall fix the polling place therein. The supervisors of the checklist shall give notice thereof when the checklist for the primary is first posted, so that said section as amended shall read as follows: 1. *City of Keene.* The election officers in each ward, whose duty it is to conduct regular biennial elections, shall conduct a municipal election in the same manner as a regular biennial election on the Tuesday following the first Monday in November in the odd numbered years to choose a mayor, and fifteen councilmen, three from each ward

to be chosen by the qualified voters thereof. The candidates for all offices to be filled at such municipal elections shall be nominated at primary elections, hereinafter called primaries, to be held on the fourth Tuesday preceding each municipal election. The selectmen in each ward shall fix the polling place therein. The supervisors of the checklist shall give notice thereof when the checklist for the primary is first posted. Primaries and municipal elections held under the provisions hereof shall be deemed to be elections within the meaning of all general statutes, penal and otherwise and said statutes shall apply to such elections so far as consistent with the charter of the city of Keene.

Amend the first paragraph of section 3 by striking out the words "five dollars except in the case of filing for councilman when the fee shall be two dollars" in the sixth and seventh lines and inserting in place thereof the words, two dollars except in the case of filing for mayor, when the filing fee shall be five dollars, so that said paragraph as amended shall read as follows: 3. *Nomination and Election of Candidates.* The name of any person shall be printed upon the primary ballots upon his filing with the city clerk, not later than five o'clock in the afternoon of the fifteenth day before the primary, his declaration in writing that he is a candidate for any office to be filled at the succeeding municipal election and paying to the city clerk a filing fee of two dollars except in the case of filing for mayor, when the filing fee shall be five dollars; provided, however, that the name of any person shall be printed upon the primary ballot without the filing of a declaration or the payment of a fee, if a petition in his behalf signed by at least fifty qualified voters shall have been filed with the city clerk not later than five o'clock in the afternoon of the tenth day before the primary. The petition shall consist of at least fifty individual certificates, each in form substantially as follows:

The report was accepted.

On motion of Mr. Bennett of Keene the rules of the House were so far suspended as to dispense with the reading of the amendment.

On a *viva voce* vote the amendment was adopted.

On motion of the same member the rules were further suspended and the bill was put upon its third reading and final passage, by title only, at the present time.

Read a third time and passed and sent to the Senate for concurrence.

Mr. Pelletier of Nashua for the Special Committee consisting of the delegation from the City of Nashua to whom was referred House Bill No. 390, An Act to amend the charter of the City of Nashua. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Taken from the Table

House Bill No. 111, An Act providing for safety to life in places of assembly.

The question being on the amendment as printed in the Journal of Thursday April 2.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Robinson of Gorham for the Committee on Education to whom was referred House Bill No. 196, An Act providing for released time from school attendance for religious education. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The undersigned, a Minority of the Committee on Education, to whom was referred House Bill No. 196, An Act providing for released time from school attendance for religious education. Having considered the same, and being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

LOUIS I. MARTEL
A Minority for the Committee

The reports were accepted.

Mr. Martel of Manchester moved that the minority report ought to pass be substituted for the majority report, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion Ensued)

Messrs. Martel of Manchester, and Kearns of Manchester spoke in favor of the motion.

Mesdames Roe of Newport and Otis of Concord and Messrs. Durkee of Seabrook and Ford of Wolfeboro spoke against the motion to substitute.

Miss Loizeaux of Plymouth moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion Ensued)

Mesdames Atkins of Hanover, Millar of Claremont, and Woodward of Waterville and Messrs. Robinson of Gorham, Saidel of Manchester, Vaughan of Newport, Spaulding of Hudson, Clement of Rochester and Jones of Lebanon spoke in favor of the motion.

Messrs. Blake of Swanzey, and Pillsbury of Manchester, and Mrs. Brungot of Berlin spoke against the motion.

Mr. Hart of Laconia moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion prevailed.

Mr. Pillsbury of Manchester called for a division.

A division being had, 236 members having voted in the affirmative, and 96 members having voted in the negative, the motion to indefinitely postpone prevailed.

Report of Committee of Conference

The Committee of Conference to whom was referred House Bill No. 68, An Act relative to the salary of the solicitor of Rockingham County, reported the same with the recommendation that the Senate recede from its position in adopting its amendment and concur with the House in the passage of the bill.

HENRY G. WELLS
M. H. PHILBRICK
CHARLES R. EASTMAN
Conferees on the part of the House

JAMES C. CLEVELAND
LOUIS W. PAQUETTE
Conferees on the part of the Senate

On motion of Mr. Philbrick of Rye the report of the Committee of Conference was agreed to.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution sent up from the House of Representatives:

House Bill No. 14, An Act relative to the purchase and operation of aircraft by the aeronautics commission.

House Bill No. 35, An Act in relation to the care and education of the feeble-minded.

House Bill No. 57, An Act relative to meetings of the board of trustees for the state sanatorium.

House Bill No. 59, An Act relative to shooting human beings while hunting.

House Bill No. 174, An Act relating to household chemicals.

House Bill No. 188, An Act relative to special fish and game licenses for members of the armed forces of the United States.

House Bill No. 193, An Act relative to sale of brook trout for use as a food.

House Bill No. 265, An Act relative to eligibility for public assistance.

House Bill No. 274, An Act relative to burial of indigent persons.

House Bill No. 351, An Act relative to old-age and survivors insurance coverage for public employees.

House Joint Resolution No. 16, Joint Resolution in favor of the County of Coos.

The message also announced that:

The Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 20, An Act relating to the settlement of patients at nursing and convalescent homes.

Senate Bill No. 41, An Act relative to compensation for members of the chiropractic board.

Senate Bill No. 42, An Act relative to the licensing of practical nurses.

Senate Bill No. 68, An Act legalizing the proceedings of the annual school district meeting and the annual town meeting in the town of Freedom, held on March 10, 1953.

Senate Bills Read and Referred

Senate Bill No. 20, An Act relating to the settlement of patients at nursing and convalescent homes.

Read a first and second time and referred to the Committee on Public Welfare and State Institutions.

Senate Bill No. 41, An Act relative to compensation for members of the chiropractic board.

Senate Bill No. 42, An Act relative to the licensing of practical nurses.

Severally read a first and second time and referred to the Committee on Public Health.

Senate Bill No. 68, An Act legalizing the proceedings of the annual school district meeting and the annual town meeting in the town of Freedom, held on March 10, 1953.

Read a first and second time and referred to the Committee on Municipal and County Government.

Resolution

Mr. Hart of Laconia offered the following resolution:

Whereas, Today, April 8 is the birthday of Leon (Andy) Anderson reporter for the Concord Monitor, therefore be it

Resolved, That we the members of the House of Representatives extend our sympathies to his wife, and extend our very best wishes to Andy for a Happy Birthday today and for many more to come.

On a *viva voce* vote the resolution was adopted.

Resolution

On motion of Mrs. Stafford of Laconia the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles only.

Third Readings

House Bill No. 111, An Act providing for safety to life in places of assembly.

House Bill No. 216, An Act amending the Unemployment Compensation Law.

House Bill No. 264, An Act to prevent the feeding of untreated garbage to swine.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 36, An Act relating to the terms of superior court.

Senate Bill No. 37, An Act relating to the entry and other fees in superior court.

Senate Bill No. 43, An Act relating to probate licenses to sell chattels.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Delude of Unity at 2:35 o'clock the House adjourned.

THURSDAY, APRIL 9, 1953

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Prayer offered by Mr. Arthur E. Derby at Lyme Town Meeting March 11, 1952 as published and broadcast by the "Voice of America."

Almighty God, our Heavenly Father, as we bow our heads in reverence we lift our hearts in gratitude for the blessings of liberty. While we enjoy these blessings, help us never to forget the price which has been paid to secure them.

We are grateful that we live under a form of government where our officials are our servants rather than our masters.

Help us to keep our churches, schools and society free from those ideas and influences which threaten to destroy our American way of life. Grant us the vision and faith which we need for the future. Give us love to unite, courage to sus-

tain and wisdom to guide in all that we do this day. These favors we ask in the name of Thy Son Jesus Christ who showed us how to live and gave His life that we might have life everlasting. *Amen*

Leaves of Absence

Mr. Scamman of Stratham was granted leave of absence for an indefinite period on account of illness.

Mr. Roeder of Belmont was granted leave of absence for the day on account of important business.

Introduction of Bills

The following bills and joint resolution were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Rules Committee (Mr. Kearns of Manchester) House Bill No. 421, An Act relative to the Division of Investigation of Accounts. To the Committee on Judiciary.

By Mr. Patenaude of Henniker, House Bill No. 422, An Act providing for the expenditure of state road aid for town highways under the direction of the selectmen. To the Committee on Public Works.

By Rules Committee (Mr. Wells of Newton) House Bill No. 423, An Act providing for a salary increase for classified state employees. To the Committee on Appropriation.

By Rules Committee (Mr. Spaulding of Hudson) House Bill No. 424, An Act providing for legalizing certain proceedings at meetings in Newmarket, Hudson, Sanbornton, Pembroke, Rye Water District, Rindge and Barrington. To the Committee on Municipal and County Government.

By Mr. Ferguson of Pittsfield, House Bill No. 425, An Act providing for state salaries for certain deputy registers of deeds. To the Committee on Judiciary.

By Rules Committee (Mr. Spaulding of Hudson) House Joint Resolution No. 47, Joint Resolution in favor of the estate of Chester W. French. To the Committee on Appropriation.

On motion of Mr. Soucy of Manchester, Ward 1 the rules were so far suspended as to dispense with the printing and reference to committee of House Joint Resolution No. 47, Joint Resolution in favor of the estate of Chester W. French,

and the joint resolution was put upon its third reading and final passage by caption only, at the present time.

Read a third time and passed and sent to the Senate for concurrence.

Report of Engrossed Bills Committee

Mr. Hyde of Andover for the Committee on Engrossed Bills to whom was referred House Bill No. 61, An Act relative to the salary of the special justice of the municipal court of Concord, reported the same under Joint Rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by adding at the end thereof the words, and per diem for justices of the peace, so that said title as amended shall read as follows:

An Act relative to the salary of the special justice of the municipal court of Concord and per diem for justices of the peace.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. Concord Municipal Court and Per Diem for Justices of the Peace.

Amend section 4 of chapter 377 of the Revised Laws, as amended by chapters 179 and 260 of the Laws of 1947, and chapter 26, Laws of 1953, by striking out said section and inserting in place thereof the following: 4. *Compensation of Special Justices.* The special justice and justice of the peace requested to sit owing to the disqualification of the justice and special justice shall be paid, from the treasury of the city or town wherein said court is located, ten dollars a day for each day or part thereof that he shall serve in said capacity; provided, that the annual salaries of the special justices of the municipal courts of the following cities and town shall be as follows, of Manchester eighteen hundred dollars, of Nashua fifteen hundred dollars, of Dover two hundred dollars, of Concord one thousand dollars, of Portsmouth four hundred dollars, of Laconia two hundred dollars, and of Hampton one hundred and fifty dollars, to be paid by said cities and town, respectively, quarterly, and shall be in lieu of any other compensation or fees to such justices.

On motion of Mr. Hayes of Concord the House adopted the amendments proposed by the committee on engrossed bill.

The bill was then sent to the Senate for concurrence in the amendment.

Reconsideration

Mr. Saidel of Manchester moved that the House reconsider its vote whereby the House voted inexpedient to legislate House Bill No. 284, An Act relative to workmen's compensation.

The question being on the motion to reconsider.

(Discussion Ensued)

Messrs. Saidel and Healy, Ward 6 of Manchester, spoke in favor of the motion.

Mr. Angus of Claremont spoke against the motion.

Speaker's Ruling

The Speaker ruled that the motion to reconsider, made by the member from Manchester, was not in order under House Rule 30, inasmuch as the member from Manchester did not vote with the majority.

Mr. Healy of Manchester, Ward 6 moved that the House reconsider its vote whereby the House voted inexpedient to legislate House Bill No. 284, An Act relative to workmen's compensation.

The question being on the motion to reconsider.

Mr. Healy of Manchester, Ward 6 spoke in favor of the motion.

Messrs. Angus of Claremont, and Brosnahan of Nashua spoke against the motion.

On a *viva voce* vote the motion to reconsider did not prevail.

Committee Reports

Mrs. Atwood of Sanbornton for the Committee on Appropriations to whom was referred House Bill No. 356, An Act relative to reimbursement to towns and cities for land taken by the United States for flood control. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the words "twenty-four" in the fourth and twelfth lines and inserting

in place thereof the word, sixteen, so that said section as amended shall read as follows: 1. *Land Taken by United States, for Flood Control.* Amend section 4, chapter 4, Revised Laws, as amended by chapter 41, Laws of 1945, and by chapter 260, Laws of 1949, by striking out the word "fifteen" in the ninth line and inserting in place thereof the words, sixteen, so that said section as amended shall read as follows: 4. *Reimbursement to Cities and Towns Authorized.* On or before the first day of October of each year, the state treasurer shall pay to each town and city in which any land or interest therein is acquired hereunder by the United States a sum equal to the taxes which would have been assessed against said lands or interest therein in such town if the same had been included in the list of taxable property for such year, at the assessed valuation of the same as determined for the tax year 1939, for a period of sixteen years next ensuing the year said lands or interest therein becomes exempt from taxation, less any amount paid or due that town for that year by or from the United States or any agency thereof because of loss of taxable valuation, the amount of said payment to be determined by the tax commission and certified by it to the state treasurer on or before the fifteenth day of September of each year for which such reimbursement is to be made; and the governor is authorized to draw his warrant for the payment thereof out of any money in the treasury not otherwise appropriated. Provided, however, that no payments shall be made or required on account of reimbursement for loss of taxes on any structure which may be erected on such premises in connection with the construction or use of said project, or on account of any railroad or other public utility which may be relocated as a result of such acquisition and which thereafter is included in the list of taxable property in said town when relocated.

The report was accepted.

On motion of Mr. McMeekin of Haverhill, the rules were suspended and reading of the amendment was dispensed with.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Hadley of Hillsborough for the Committee on Executive Departments and Administration to whom was referred Senate Bill No. 26, An Act to authorize the allowance of probate accounts of fiduciaries upon written consent of interested

parties. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Perley of Lebanon for the Committee on Executive Departments and Administration to whom was referred Senate Bill No. 27, An Act to authorize administration of small estates upon giving bond without sureties. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fuller of Hanover for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 34, An Act relating to the filing of small claims. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Joint Resolution No. 39, Joint Resolution in favor of Lovell V. Oakes. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Oakes of Columbia moved that the words "ought to pass" be substituted for the resolution of the committee inexpedient to legislate.

(Discussion Ensued)

Messrs. Oakes of Columbia, Perley of Lebanon, Payeur of Pembroke, Metcalf of Tilton, Blake of Swanzey, Eggleston of Canaan, and Lamson of New London, and Mrs. Brungot of Berlin spoke in favor of the motion.

Mr. Washburn of Bartlett spoke against the motion.

Mr. Hart of Laconia moved the previous question.

The question being, shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the words "ought to pass."

Mr. Oakes of Columbia called for a division; but subsequently withdrew his demand.

On a *viva voce* vote the motion to substitute the words "ought to pass" prevailed.

The Joint Resolution No. 39 was then referred to the Committee on Appropriation under the rules.

Mr. Soucy of Manchester, Ward 1, moved that the rules be so far suspended as to dispense with the referrence to the Committee on Appropriation of House Joint Resolution No. 39, and that the Joint Resolution be put upon its third reading and final passage, by caption only, at the present time, but subsequently withdrew his motion.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 134, An Act relating to use of firearms in lumber camps. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 199, An Act relating to the transportation and tagging of deer. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 333, An Act relative to killing dogs found in the act of pursuing deer. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 363, An Act relative to the use of rifle or certain shotguns during open season for deer by person who has already killed a deer. Having con-

sidered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 379, An Act relative to the use of flashlights while hunting. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Cooper of Nashua for the Committee on Judiciary to whom was referred House Bill No. 212, An Act relative to forms of accounting by trustees. Having considered the same, reported the same with the recommendation that the bill be referred to the 1955 Session of the Legislature.

The report was accepted and the recommendation of the committee adopted.

Mr. Beamis of Somersworth for the Committee on Judiciary to whom was referred House Bill No. 345, An Act establishing the uniform reciprocal enforcement of support act. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Foote of Portsmouth for the Committee on Liquor Laws to whom was referred House Bill No. 69, An Act relative to on-sale liquor permits. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Foote of Portsmouth for the Committee on Liquor Laws to whom was referred House Bill No. 381, An Act relative to restaurant licenses for the sale of beer. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Wheeler of Keene for the Joint Committee on Resources, Recreation and Development and Public Works to whom was referred House Bill No. 330, An Act providing for the construction, maintenance, repair and operation of a water pipeline from Lake Winnipesaukee to the city of Portsmouth; creating a body politic and corporate to be known as the New Hampshire water authority, and defining its powers and duties. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Webb of Dover for the special committee consisting of the delegation from the city of Dover to whom was referred House Bill No. 301, An Act to increase the bonded indebtedness of the city of Dover. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate, subject matter covered by existing legislation.

The report was accepted and the resolution of the committee adopted.

Taken from the Table

House Bill No. 260, An Act relative to slot machines.

The question being on the amendment as printed in the Journal of April 7.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

House Bill No. 249, An Act relating to business corporations.

The question being on the amendment as printed in the Journal of April 7.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Report of Committee of Conference

The Committee of Conference to whom was referred House Bill No. 139, An Act regarding the closing of certain

lakes and ponds for fishing, report the same with the following recommendation:

That the House recede from its position of non-concurrence and concur in the amendments sent down by the Senate.

FRED H. WASHBURN
WILLIAM H. BROWN
WILLIAM S. THOMPSON
Conferees on the part of the House

PERLEY C. KNOX
FRED KELLEY
Conferees on the part of the Senate

The report was accepted.

The question being on agreeing to the report.

On motion of Mr. Washburn of Bartlett the House agreed to the report of the Committee of Conference.

Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bill with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 288, An Act relating to salaries of certain officials of the city of Nashua.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Mayor; City of Nashua.* Amend section 45 of chapter 427 of the Laws of 1913, as amended by chapter 246 of the Laws of 1921 and by chapter 288 of the Laws of 1943, by striking out said section and inserting in place thereof the following: Sect. 45. The mayor shall be the chief executive officer of the city, and cause its laws and ordinances to be executed and enforced, shall exercise the general supervision over the conduct of all subordinate officers and cause all violations and neglect of duties by them to be punished. He may call a meeting of the board of aldermen whenever in his opinion there is occasion by causing a notification to be given to or left at the abode of each member of the board to be convened. He shall from time to time communicate to said board and to all

subordinate officers such information and recommendations relative to matters within their respective jurisdiction as, in his judgment, the interests of the city may require, and shall have and perform such other powers and duties not inconsistent with the provisions of this act as now or hereafter may be conferred or imposed on him by the municipal ordinances or upon mayors of cities by general law. The salary of the mayor of the city of Nashua, from January 1, 1953, to January 1, 1954, shall be four thausand dollars per annum, payable in equal monthly payments. Beginning January 1, 1954, said salary shall be such sum, but not exceeding five thousand dollars per annum, as may be fixed by ordinance from time to time by the board of aldermen. Said salary shall be in full compensation for services performed by said mayor while on official business. The mayor shall hold no other office of profit, recompense for which is made out of city funds or appropriations.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Salaries Increased.* During the period of January 1, 1953, to aJnuary 1, 1954, the salary of each ward alderman of the city of Nashua shall be one hundred and fifty dollars per year, payable in equal quarterly payments, the salary of each alderman at large of said city shall be three hundred dollars per year, payable in equal quarterly payments, provided the alderman at large who acts as clerk of the finance committee shall receive, in addition to his salary as such alderman, an additional sum of one hundred dollars per year, payable in the same manner. Beginning January 1, 1954, the salaries of each ward alderman and alderman at large shall be such sum, but not exceeding five hundred dollars per annum, as may be fixed by ordinance from time to time by the board of aldermen, payable in equal quarterly payments, provided the alderman at large who acts as clerk of the finance committee may receive, in addition to his salary as alderman, an additional sum of one hundred dollars per annum, payable in the same manner.

Mr. Temple of Nashua moved that the House non-concur in the adoption of the amendments sent down from the Honorable Senate and that a committee of Conference be appointed.

The question being on the motion.

(Discussion Ensued)

Mr. Temple of Nashua spoke in favor of the motion.

On a *viva voce* vote the motion prevailed and the Speaker appointed as members of such committee on the part of the House, Mrs. Cooper and Messrs. Temple and Bouthillier of Nashua.

The message further announced that:

The Senate had voted to adopt the report of the Committee of Conference on the following entitled bills,

House Bill No. 139, An Act regarding the closing of certain lakes and ponds for fishing.

House Bill No. 68, An Act relative to the salary of the solicitor of Rockingham County.

The message further announced that:

The Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

House Bill No. 101, An Act relative to the salaries of the Hillsborough County Commissioners.

House Bill No. 148, An Act relating to the appointment of child placing agencies as guardians.

Senate Bill No. 15, An Act entitled uniform business records as evidence act.

The message also announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 175, An Act relative to the audit and post audit of state accounts.

Resolutions

Mr. Broadhurst of Franklin offered the following resolution:

Whereas, George W. Chase has passed away suddenly, and

Whereas, He was a Representative from Franklin during the sessions of 1947-1949 and 1951, therefore be it

Resolved, That we, the members of the House of Representatives, pay tribute to our former associate for his services

to his city and state and express our deep sympathy to the family in its bereavement, and be it further

Resolved, That the Clerk of the House transmit to Mrs. Chase a copy of these Resolutions.

On a *vica voce* vote the resolution was unanimously adopted.

Mr. Pillsbury of Manchester offered the following resolution:

Whereas, After many years of service Clarence A. DuBois is leaving the employ of the House of Representatives, and

Whereas, Clarence has served in many capacities for the State including State House Guide, Assistant in the Governor's office, more recently Sergeant-at-Arms for the House, and at present Telephone Messenger for the House, therefore be it

Resolved, That we, the Members of the House of Representatives of the New Hampshire Legislature, hereby pay tribute to the many services performed by this Attache and express our deep appreciation to him for his many courtesies, kindness and thoughtfulness over a long period of years, and be it further

Resolved, That we extend our best wishes for his success and happiness, and be it further

Resolved, That the Clerk of the House transmit to him a copy of these Resolutions.

On a *viva voce* vote the resolution was unimously adopted.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

Third Readings

House Bill No. 249, An Act relating to business corporations.

House Bill No. 260, An Act relative to slot machines.

House Bill No. 345, An Act establishing the uniform reciprocal enforcement of support act.

House Bill No. 356, An Act relative to reimbursement to

towns and cities for land taken by the United States for flood control.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 26, An Act to authorize the allowance of probate accounts of fiduciaries upon written consent of interested parties.

Senate Bill No. 34, An Act relating to the filing of small claims.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Mahoney of Concord at 12:50 o'clock the House adjourned.

TUESDAY, APRIL 14, 1953

The House met according to adjournment.

Prayer was offered by Reverend Lewis M. Blackmer, Minister, First Baptist Church, Keene.

Almighty God, Father of all wisdom, understanding and knowledge, these who now approach Thy throne through prayer have been entrusted by free election, with the honest and forthright ordering of legislative activities for this State. Great is the trust placed in Thy servants, and so great is their responsibility. Help them therefore in sober democratic deliberation justly to weight the special interests placed before them, humbly to reconcile differences, and with mercy to consider the general welfare of all New Hampshire's children; those who are born into this privileged family, and those who come by adoption, those who are cradled in the security of a mother's arms, those who work a day for pay, and those who by virtue of their years of labor have earned the reward of the patient and the diligent. Completely dependent upon Thee for wisdom to deal rightly with the problems of men, according to high moral standards which have made this nation great, we now open our hearts to Thee in an interval of silence, that this assembly may convene with Thy Holy Sanction. . . . . In the Name of the Father, the Son, and the Holy Spirit, *Amen*.

Leaves of Absence

Messrs. Smith of Manchester and Jordan of Plainfield were granted leave of absence for the week on account of illness.

Mr. Mafera of Raymond was granted leave of absence for the day on account of important business.

Mrs. Boutain of Northumberland was granted leave of absence for the day on account of important business.

Mr. Green of Rollinsford was granted leave of absence for the week on account of important business.

Mrs. Goodwin of Hollis was granted leave of absence for the day on account of transportation difficulties.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Young of Pittsfield, House Bill No. 426, An Act to establish a department of televised education at the University of New Hampshire and to provide facilities therefor. To the Committee on Education.

By Mr. Young of Pittsfield, House Bill No. 427, An Act relative to consolidation and improvement of the system of higher education in the state. To the Committee on Education.

Report of Committee on Engrossed Bills

Mesdames Hundley of Portsmouth, and Mahoney of Concord for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Joint Resolution, Senate Bills and House Bills:

House Joint Resolution No. 25, Joint Resolution relative to insurance on motor vehicles.

Senate Bill No. 26, An Act to authorize the allowance of probate accounts of fiduciaries upon written consent of interested parties.

Senate Bill No. 34, An Act relating to the filing of small claims.

House Bill No. 14, An Act relative to the purchase and operation of aircraft by the aeronautics commission.

House Bill No. 35, An Act in relation to the care and education of the feeble-minded.

House Bill No. 57, An Act relative to meetings of the board of trustees for the state sanatorium.

House Bill No. 59, An Act relative to shooting human beings while hunting.

House Bill No. 66, An Act relative to placing or throwing obstructions onto highways and other public places.

House Bill No. 188, An Act relative to special fish and game licenses for members of the armed forces of the United States.

House Bill No. 303, An Act relating to the printing of the fire insurance contract.

House Bill No. 101, An Act relative to the salaries of the Hillsborough county commissioners, and naming of the Hillsborough county hospital.

House Bill No. 148, An Act relating to the appointment of child placing agencies as guardians.

Senate Bill No. 15, An Act establishing a uniform business records as evidence act.

Senate Bill No. 36, An Act relating to the terms of superior court.

Senate Bill No. 37, An Act relating to the entry and other fees in superior court.

Senate Bill No. 43, An Act relating to probate licenses to sell chattels.

The report was accepted.

Committee Reports

Mr. McDaniel of Nottingham for the Committee on Appropriations to whom was referred House Bill No. 153, An Act to provide for an additional justice of the Superior Court. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Sadler of Portsmouth for the Committee on Insurance to whom was referred House Bill No. 152, An Act relating to the fire insurance contract. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Dixon of Lyme for the Committee on Judiciary to whom was referred House Bill No. 213, An Act relative to unincorporated associations. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out all of said section and inserting in place thereof the following:

1. *Unincorporated Associations.* Amend chapter 272, of the Revised Laws, by adding at the end of said chapter the following new section: 13. *Unincorporated Association.* If a donation, grant or gift be made to any unincorporated association, society, foundation or similar organization, it shall be a corporation so far as may be necessary to take, hold, manage, use and convey any such donation, gift or grant made to it. Any donations, gifts or grants heretofore made to any such association, society, foundation or similar organization are hereby fully ratified and confirmed to them in their aforesaid corporate capacity, and said association, society, foundation or similar organization may sue and be sued in regard to such property in said corporate capacity. The directors, trustees or other similar officers of such unincorporated association, society, foundation or similar organization, if citizens of the United States, shall have the power of taking, holding and conveying in succession grants, gifts and donations whether real or personal estate made either to them and their successors or to their respective association, society, foundation or similar organization, or to their beneficiaries.

The report was accepted, and the amendment was laid upon the table to be printed under rule 48.

Mrs. Frizzell of Charlestown for the Committee on Judiciary to whom was referred House Bill No. 272, An Act relative to increase in exemption of attachable property. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words "one thousand" in the third and fifth lines and inserting in place thereof the words, five hundred, so that said section as amended shall read as follows:

1. *Attachments.* Amend paragraph III of section 2 of chapter 388 of the Revised Laws by striking out the words

"one hundred dollars" and inserting in place thereof the words, five hundred dollars, so that said paragraph as amended shall read as follows: III, Household furniture to the value of five hundred dollars.

Amend section 2 of said bill by striking out the words "and fifty" in the third and fifth lines so that said section as amended shall read as follows:

2. *Provisions and Fuel.* Amend paragraph VI of section 2 of chapter 388 of the Revised Laws by striking out the words "fifty dollars" and inserting in place thereof the words, one hundred dollars, so that said section as amended shall read as follows: VI. Provisions and fuel to the value of one hundred dollars.

Amend section 4 of said bill by striking out the words "one hundred" in the third and fifth lines and inserting in place thereof the words, seventy-five, so that said section as amended shall read as follows:

4. *Domestic Fowl.* Amend paragraph XIII of section 2 of chapter 388 of the Revised Laws by striking out the words "fifty dollars" and inserting in place thereof the words, seventy-five dollars, so that said section as amended shall read as follows: XIII. Domestic fowls not exceeding seventy-five dollars in value.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Cooper of Nashua for the Committee on Judiciary to whom was referred House Bill No. 282, An Act relating to the homestead right. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Otis of Concord for the Committee on Public Health to whom was referred House Bill No. 202, An Act relative to the barbers examining board. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Otis of Concord for the Committee on Public Health to whom was referred House Bill No. 315, An Act relative to

mortuary regulations. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out all after the word "directors" in the seventh line and inserting in place thereof the following. This shall not apply to any corporation or partnership licensed prior to January 1, 1953, nor to any corporation whose application for a certificate or license was pending before the Board of Registration on January 1, 1953, so that said section, as amended, shall read as follows:

1. *Mortuary Regulations.* Amend section 15 of chapter 168 of the Revised Laws as amended by section 2, chapter 154, Laws of 1949, by striking out said section and inserting in place thereof the following: 15. *Corporations, etc.* No corporation or partnership shall be issued a certificate of registration as a registered funeral director nor shall any corporation or partnership or any individual connected therewith publicly advertise such corporation or partnership as being registered funeral directors. This shall not apply to any corporation whose application for a certificate or license was pending before the Board of Registration on January 1, 1953.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Dupont of Manchester for the Committee on Public Health to whom was referred House Bill No. 329, An Act relative to prices charged for services performed in barber shops. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Otis of Concord for the Committee on Public Health to whom was referred House Bill No. 398, An Act relative to display of price lists in barber shops and school. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Kershaw of Swanzey for the Committee on Ways and

Means to whom was referred House Bill No. 118, An Act relative to pari mutuel pools at race meets. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Horse Racing.* Amend section 15 of chapter 171 of the Revised Laws as amended by chapter 83, Laws of 1943, chapter 117, Laws of 1945 and by chapters 24 and 190, Laws of 1949, by striking out the figure "1956" and inserting in place thereof the figure, 1966, so that said section as amended shall read as follows: 15. *Pari Mutuel Pools.* Within the enclosure of any race track where is held a race or race meet licensed and conducted under this chapter, but not elsewhere, the sale of pari mutuel pools by the licensee under such regulations as may be prescribed by said commission is hereby permitted and authorized during the calendar years 1941 to 1966, inclusive. Commissions on such pools shall in no event and at no track, excepting at tracks or race meets conducted solely for harness racing by agricultural fairs where the commissions shall be fifteen per cent, exceed eleven and one-half per cent of each dollar wagered, plus the odd cents of all redistribution to be based upon each dollar wagered exceeding a sum equal to the next lowest multiple of ten, known as "breakage," one-half of which breakage shall be retained by the licensee and the balance shall be paid to the state treasurer for the use of the state in accordance with the provisions of section 2. Said maximum shall include the five per cent tax hereinafter prescribed. For the purpose of the exception set forth in this section, an "agricultural fair" shall be deemed to be such an association as does provide for and pay premiums of five thousand dollars, or more, annually as is determined by the commissioner of agriculture in accordance with section 18 of this chapter.

The report was accepted.

The question being on the amendment.

(Discussion Ensued)

Mr. Griffin of Lincoln spoke in favor of the amendment.

Mr. Spaulding of Hudson moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion Ensued)

Mr. Spaulding of Hudson and Mrs. Millar of Claremont spoke in favor of the motion.

Messrs. Stearns of Durham, Jones of Lebanon, Malley of Somersworth, Wells of Newton, Young of Pittsfield, Barry of Wilton, and Ashley of Lebanon, spoke against the motion.

Mr. Blake of Swanzey moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion to indefinitely postpone did not prevail.

The question being on the amendment.

(Discussion Ensued)

Messrs. Barry of Wilton, Ferguson of Pittsfield, Griffin of Lincoln, and Wadleigh of Milford, and Mrs. Cooper of Nashua spoke in favor of the amendment.

Messrs. Pillsbury of Manchester, and McMeekin of Haverhill spoke against the amendment.

Mr. Hart of Laconia moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Pillsbury of Manchester called for a division, but subsequently withdrew his demand.

Mr. Malley of Somersworth offered the following amendment.

Amend House Bill 118 as amended by striking out all the words between the figure "1949" and the word "follows" and inserting in place thereof the words, by striking out said section and inserting in place thereof the following, and further amend by striking out all words between the words "inclusive" in line 10 up to and including the word "wagered" in line 15 and substituting the following:

Amend House Bill 118 as amended by striking out all words between the words "inclusive" in line 10 up to and including the word "wagered" in line 15 and substituting the following:

"Commissions on such pools, excepting at tracks or race meets conducted solely for harness racing by agricultural fairs where such commissions shall be fifteen percent, shall be uniform throughout the State at the rate of eleven and one half percent of each dollar wagered," so that the amended bill as amended will read:

1. *Horse Racing.* Amend section 15 of chapter 171 of the Revised Laws as amended by chapter 83, Laws of 1943, chapter 117, Laws of 1945 and by chapters 24 and 190. Laws of 1949, by striking out said section and inserting in place thereof the following. 15. *Pari Mutuel Pools.* Within the enclosure of any race track where is held a race or race meet licensed and conducted under this chapter, but not elsewhere, the sale of pari mutuel pools by the licensee under such regulations as may be prescribed by said commission is hereby permitted and authorized during the calendar years 1941 to 1966, inclusive. Commissions on such pools, excepting at tracks or race meets conducted solely for harness racing by agricultural fairs where such commissions shall be fifteen percent, shall be uniform throughout the State at the rate of eleven and one half percent of each dollar wagered plus the odd cents of all redistribution to be based upon each dollar wagered exceeding a sum equal to the next lowest multiple of ten, known as "breakage," one-half of which breakage shall be retained by the licensee and the balance shall be paid to the state treasurer for the use of the state in accordance with the provisions of section 2. Said maximum shall include the five per cent tax hereinafter prescribed. For the purpose of the exception set forth in this section, an "agricultural fair" shall be deemed to be such an association as does provide for and pay premiums of five thousand dollars, or more, annually as is determined by the commissioner of agriculture in accordance with section 18 of this chapter.

The question being on the amendment.

(Discussion Ensued)

Messrs. Malley of Somersworth, Kearns of Manchester and Griffin of Lincoln spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

Mrs. Frizzell of Charlestown offered the following amendment.

Amend the bill by adding at the end of section 1 the following:

Nothing contained in this bill shall prejudice the rights of the Legislature at any time to alter the percentage amounts stated in the Act.

The question being on the amendment.

(Discussion Ensued)

Mrs. Frizzell of Charlestown spoke in favor of the amendment.

Mr. Kearns of Manchester spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

Mrs. Millar of Claremont called for a division but subsequently withdrew her demand.

The bill was ordered to a third reading.

Mr. Foote of Portsmouth for the Committee on Liquor Laws to whom was referred House Bill No. 146, An Act providing for the sale of wines by grocery stores. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The undersigned a Minority of the Committee on Liquor Laws to whom was referred House Bill No. 146, An Act providing for the sale of wines by grocery stores. Having considered the same and being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

SAM J. NAHIL
THOMAS J. LORDEN
JEREMIAH B. HEALY
GEORGE H. CORBETT
ARTHUR A. LABRANCHE
A. J. MARCOTTE
HARRY DANFORTH
A Minority of the Committee.

The reports were accepted.

Mr. Kearns of Manchester moved that the report of the

minority be substituted for that of the majority.

The question being on the motion to substitute.

(Discussion Ensued)

Mr. Kearns of Manchester spoke in favor of the motion.

Messrs. Poore of Goffstown and Rainie of Concord spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Ryan of Nashua for the Committee on Municipal and County Government to whom was referred House Bill No. 365, An Act relating to the sale and use of fireworks. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The undersigned, a Minority of the Committee on Municipal and County Government to whom was referred House Bill No. 365, An Act relating to the sale and use of fireworks. Having considered the same and being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

PHILIP S. WILLEY
JOSEPH F. ECKER
VAN H. GARDNER
LISE L. PAYETTE
CHARLES R. THOMAS
MARY A. WASTCOAT
A Minority of the Committee.

The reports were accepted.

Mr. Willey of Campton moved that the bill be laid upon the table and be made a Special Order for Wednesday, April 15, at 11:01 o'clock.

The question being on motion.

(Discussion Ensued)

Mr. Willey of Campton spoke in favor of the motion.

Messrs. Eldredge of Exeter and Kearns of Manchester spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Willey of Campton moved to substitute the minority report for that of the majority report.

The question being on the motion to substitute.

(Discussion Ensued)

Messrs. Willey of Campton, Sherwin of Rindge, Waling of Keene, Payeur of Pembroke, Brown of Laconia, Spaulding of Hudson and Flanagan of Dover spoke in favor of the motion.

Messrs. Eldredge of Exeter, Joyce of Portsmouth, Walker of Concord, O'Shan of Laconia, Ashley of Lebanon and Pappagianis of Nashua, and Mrs. Corliss of Manchester spoke against the motion.

Mr. Hart of Laconia moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

On a *viva voce* vote the motion to substitute the minority report did not prevail.

Mr. Waling of Keene asked for a division.

A division being had 91 members having voted in the affirmative and 196 members having voted in the negative, the motion to substitute did not prevail.

The question being on the resolution of the Committee, that it is inexpedient to legislate.

On a *viva voce* vote the resolution of the Committee was adopted.

Vote Recorded

Mrs. Otis of Concord wished to be recorded as voting NO on the motion to substitute the minority report, ought to pass, on House Bill No. 365, An Act relating to the sale and use of fireworks.

Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that:

The Senate had voted to concur with the House of Rep-

resentatives in the passage of the following entitled bill and joint resolution sent up from the House of Representatives:

House Bill No. 303, An Act relating to the printing of the fire insurance contract.

House Joint Resolution No. 25, Joint Resolution relative to insurance on motor vehicles.

The message also announced that:

The Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 30, An Act relating to investment of excess funds by building and loan associations.

Senate Bill No. 31, An Act relating to shares of building and loan association.

Senate Bill No. 32, An Act relating to borrowings by, real estate loans and reserves of building and loan associations.

Senate Bill No. 33, An Act relating to joint accounts and distribution thereof.

Senate Bill No. 50, An Act relating to license fees; penalties, etc.

Senate Bill No. 63, An Act repealing certain limitations on time of payment of fire insurance losses.

Senate Bill No. 66, An Act relating to registration of motor vehicles.

Senate Bills Read and Referred

Senate Bill No. 30, An Act relating to investment of excess funds by building and loan associations.

Senate Bill No. 31, An Act relating to shares of building and loan associations.

Senate Bill No. 32, An Act relating to borrowings by, real estate loans and reserves of building and loan associations.

Severally read a first and second time and referred to the Committee on Banks

Senate Bill No. 33, An Act relating to joint accounts and distribution thereof.

Read a first and second time and referred to the Committee on Executive Departments and Administration.

Senate Bill No. 50, An Act relating to license fees; penalties, etc.

Read a first and second time and referred to the Committee on Judiciary.

Senate Bill No. 63, An Act repealing certain limitations on time of payment of fire insurance losses.

Read a first and second time and referred to the Committee on Insurance.

Senate Bill No. 66, An Act relating to registration of motor vehicles.

Read a first and second time and referred to the Committee on Transportation.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles only.

Third Readings

House Bill No. 118, An Act relative to pari mutuel pools at race meets.

House Bill No. 153, An Act to provide for an additional justice of the Superior Court.

House Bill No. 272, An Act relative to increase in exemption of attachable property.

House Bill No. 282, An Act relating to the homestead right.

House Bill No. 315, An Act relative to mortuary regulations.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Williams of Grafton at 2:38 o'clock the House adjourned.

WEDNESDAY, APRIL 15, 1953

The House met at 11:00 o'clock.

Prayer was offered by the chaplain.

O God, the Giver of all good and the Director of all those who call upon Thee; we ask Thy protection upon all those gathered here this day in the service of the State. These men and women have come from different walks in life and from different parts of our state. Thou alone knowest the ruling passion of their lives; Thou alone knowest the inner joys and sorrows of their hearts; Thou alone knowest the problems that are theirs. O God, we ask for them health, that the days of their lives may be free from physical pain and discomfort; we ask for them courage that they may bravely face the problems of life; we ask for them wisdom that their actions may be well directed and meet with Divine approbation. Thou alone, O God, canst direct the members of this House to think and act for the greatest good of our Commonwealth. We ask it in the name of Jesus Christ. *Amen*

Leaves of Absence

Mr. Belletete of Jaffrey was granted leave of absence for the day on account of important business.

Mr. Nichols of Centre Harbor was granted leave of absence for the remainder of the week on account of illness.

Mr. Smith of Manchester was granted leave of absence for an indefinite period on account of illness.

Mr. Gagnon of Manchester was granted leave of absence for an indefinite period on account of illness.

Report of Committee on Engrossed Bills

Mrs. Landers of Keene for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Joint Resolutions and House Bills:

House Joint Resolution No. 35, Joint Resolution in favor of Cora Shares.

House Joint Resolution No. 47, Joint Resolution in favor of the estate of Chester W. French.

House Bill No. 61, An Act relative to the salary of the

special justice of the municipal court of Concord and per diem for justices of the peace.

House Bill No. 261, An Act relative to compensation of acting judges of probate.

The report was accepted.

Committee Reports

Miss Loizeaux of Plymouth for the Committee on Appropriations to whom was referred House Joint Resolution No. 46, Joint Resolution in favor of Voyin P. Stoykovich. Having considered the same, reported the same with the recommendation that the Joint Resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Washburn of Bartlett for the Committee on Fish and Game to whom was referred House Bill No. 55, An Act relating to the taking of deer. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Washburn of Bartlett for the Committee on Fish and Game to whom was referred House Bill No. 361, An Act relative to open season for taking pheasants. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Washburn of Bartlett for the Committee on Fish and Game to whom was referred House Bill No. 364, An Act relating to the licensing of dogs used in hunting. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Washburn of Bartlett for the Committee on Fish and Game to whom was referred House Bill No. 375, An Act relative to open season on pheasant. Having considered the

same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Griffin of Lincoln for the Committee on Ways and Means to whom was referred Senate Bill No. 16, An Act relative to proceedings in the assessment of taxes of railroads and utilities. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Foote of Portsmouth for the Special Committee consisting of the delegation from the city of Portsmouth to whom was referred House Bill No. 209, An Act relative to compensation of councilmen of the city of Portsmouth. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Foote of Portsmouth for the Special Committee consisting of the delegation from the city of Portsmouth to whom was referred House Bill No. 293, An Act relative to the North Church in Portsmouth. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Foote of Portsmouth for the Special Committee consisting of the delegation from the city of Portsmouth to whom was referred House Bill No. 294, An Act relative to the first or north parish in Portsmouth. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Foote of Portsmouth for the Special Committee consisting of the delegation from the city of Portsmouth to whom was referred House Bill No. 208, An Act relative to filling vacancies in office of councilman of the city of Portsmouth. Having considered the same, reported the same with the follow-

ing amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by inserting after section 1 the following new section:

2. *Present Vacancy in Office of Councilman.* Forthwith after the passage of this act the board of councilmen of the city of Portsmouth shall, by vote of at least five of its members, appoint some qualified person to fill the vacancy in the office of councilman existing at this time.

Further amend said bill by renumbering section 2 to read section 3.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Foote of Portsmouth for the Special Committee consisting of the delegation from the city of Portsmouth to whom was referred House Bill No. 215, An Act relating to the charter of the city of Portsmouth. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

The Special Committee consisting of the delegation from the county of Belknap to whom was referred House Bill No. 418, An Act relating to the Belknap County Recreational Area. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by inserting after the word "time" in the fourth line the words, and under the same procedure, and by adding at the end thereof the words, All accounts of the Area shall be audited annually by the Municipal Accounting Division of the State Tax Commission, so that said section as amended shall read as follows: 1. *Budget and Accounts.* The commissioners of the county of Belknap shall annually prepare a budget for the Belknap County Recreational Area on forms as prescribed by the state tax commission, which shall be submitted at the same time and under the same procedure as the county budget. The commissioners shall maintain separate books of account for said area in which shall be entered all reecipts and payments, and the receipts

from activities of the Recreational Area shall be kept separate and apart from other county funds, so that at all times the amount of revenue therefrom and the expenses of the operation thereof may be known. Such budgets and books of account shall be public records. All payments shall be made by the county treasurer upon order of the board of county commissioners. All accounts of the Area shall be audited annually by the Municipal Accounting Division of the State Tax Commission.

Amend section 2 by striking out the words "a majority vote approval by" in the second and third lines and inserting in place thereof the words, the approval of, so that said section as amended shall read as follows: 2. *Manager.* The manager of the Belknap County Recreational Area shall be employed by the commissioners with the approval of the county convention. Any employment contract entered into between the manager and the county commissioners shall be signed by the chairman of the convention after the same has been approved by the convention.

Amend section 3 by inserting after the word "Recreational" in the fourth line the word, Area; further amend by striking out the words "except that the county convention may transfer any existing surplus in the fund to the general funds of the county" in the twelfth, thirteenth and fourteenth lines so that said section as amended shall read as follows: 3. *Establishment of Fund.* Whenever the county convention shall so vote, the commissioners of Belknap county are hereby authorized to set up and establish a continuing fund, to be known as the Belknap County Recreational Area Fund, in such an amount as the County convention shall determine and from time to time raise and appropriate the necessary sums therefor. The county treasurer shall have the custody of this fund. A detailed statement of the activity of the fund shall be included in the annual report made by the county commissioners. The county convention may authorize the use of all or any part of any capital reserve fund heretofore established for the purpose of setting up the original fund. Said fund shall only be used for the operating and maintenance costs and capital expenditures of said Recreational Area. Payments from the fund shall be made only after having been authorized by the county convention by proper budgetary procedure and not in excess of budgetary allotments.

Amend section 5 by striking out the words "when authorized by the county convention" in the second line so that said section as amended shall read as follows: 5. *Investment of Funds.* The commissioners of the county of Belknap may invest funds of the Belknap County Recreational Area Fund held by them in such investments as are legal for capital reserve funds.

The report was accepted.

The question being on the amendment.

On motion of Mr. Perkins of Alton the rules were suspended and reading of the amendment dispensed with.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Washburn of Bartlett for the Committee on Fish and Game to whom was referred House Bill No. 276, An Act relative to providing for one open season for taking of deer for the entire state. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Wild Deer.* Amend section 3 of chapter 242 of the Revised Laws, as amended by section 1 of chapter 191 of the Laws of 1943; chapter 168, Laws of 1945 and section 1 of chapter 268, Laws of 1949, by striking out said section and inserting in place thereof the following: 3. *Taking Time.* Wild deer, outside game preserves, may be hunted and taken from one-half hour before sunrise to one-half hour after sunset in that part of the state which lies north of the following described line, from October 25 to November 25, and in that part of the state lying south of the following described line from November 15 to December 15, provided that no deer shall be hunted or taken at any time on any island or in any waters or lakes or ponds. The line for the division of the state for the purpose of taking wild deer is described as follows: Beginning at the Connecticut River at Dalton, following the Maine Central Railroad at Dalton through Whitefield to Fabyans, from Fabyans along the carriage road to the Cog Railroad Base Station, thence along the Cog Railroad to the Top of Mt. Washington, the carriage road to Route 16, thence from the Glen House via the Aqueduct trail to its junction

with the 19 mile brook trail and along that trail to Carter Notch, thence along the Carter Dome trail to the Black Angel Trail, and along the Black Angel trail to the Wild River Forest Camp, thence down that road to the Maine Boundary.

Further amend the bill by inserting a new section as follows:

2. *Special Closed Season.* Amend section 3-a, chapter 242 of the Revised Laws, as inserted by section 2, chapter 268, Laws of 1949, by striking out said section and inserting in place thereof the following: 3-a. *Powers of Director.* The director, with the approval of the commission, may in any year, extend for not more than ten days, or shorten for not more than ten days, the open season for taking deer in any area or section if, in his opinion, such action is necessary to preserve a proper and adequately balanced deer herd.

Further amend said bill by renumbering section 2 to read section 3.

The Undersigned, a minority of the Committee on Fish and Game to whom was referred House Bill No. 276, An Act relative to providing for one open season for taking deer for the entire state. Having considered the same and being unable to agree with the majority, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

WILLIAM THOMPSON
EDWARD J. CAVANAUGH
WILLIAM H. BROWN
JAMES H. THURLOW
A Minority of the Committee

The reports were accepted.

Mr. Thompson of New Ipswich moved that the report of the minority be substituted for that of the majority.

The question being on the motion to substitute.

(Discussion Ensued)

Mr. Thompson of New Ipswich spoke in favor of the motion.

Mr. Metcalf of Tilton spoke against the motion.

Mr. Rhodes of Walpole moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion Ensued)

Messrs Walker of Concord, Longchamps of Littleton, Spaulding of Hudson, Pillsbury of Manchester, Comi of Concord, Brown of Loudon, Fernald of Rochester, Stearns of Durham, Barry of Wilton, English of Hancock, Waling of Keene, and Kearns of Manchester and Mesdames Spollett of Hampstead, and Goodwin of Hollis spoke in favor of the motion to indefinitely postpone.

Messrs. Washburn of Bartlett, Holden of Newport, Carr of Orford, Blake of Swanzey, Brown of Laconia, Ashley of Lebanon, and Eggleston of Canaan and Mrs. Brungot of Berlin spoke against the motion.

Mr. Waling of Keene directed a parliamentary inquiry to the Speaker regarding the motion to indefinitely postpone House Bill No. 276.

Ruling of the Speaker on Rule 26

The inquiry of the member from Keene calls for a ruling on Rule 26 which is as follows: When a question is postponed indefinitely, the same shall not be acted upon during the session except by unanimous consent. The point to be determined is whether the "question" as referred to in Rule 26, applies only to a particular bill or resolution on which the motion to indefinitely postpone is made, or whether the "question" can also apply to other bills or resolutions not yet acted on by the House which contain similar, but not identical, subject matter. "A question is the parliamentary form or device by which a proposition is presented to the House for debate, amendment and the determination of what its opinion or judgment may be upon that particular matter." (Manual of U. S. Parliamentary Practice — Hughes and Clifton) To consider a "question" as anything more than the subject matter of a particular bill or resolution would greatly impair proper and orderly parliamentary procedure. Not only would the presiding officer be constantly faced with fine decisions as to what constitutes related subject matter, but also the House, itself, would arbitrarily forfeit its right to pass judgment on much pending legislation. In view of the above considerations, it is the ruling of the Chair that the motion to indefinitely postpone under Rule No. 26, has no effect beyond the particular bill or resolution to which it is applied.

Mr. Hart of Laconia moved the previous question.

The question being

Shall the main queston now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion to indefinitely postpone prevailed.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 61, An Act relative to the salary of the special justice of the municipal court of Concord and per diem for justices of the peace.

The message further announced that:

The Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 288, An Act relating to salaries of certain officials of the city of Nashua and the President has appointed as members of such a committee on the part of the Senate Senators Cleveland and Paquette.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bill and joint resolutions sent up from the House of Representatives:

House Bill No. 261, An Act relative to compensation of acting judges of probate.

House Joint Resolution No. 7, Joint Resolution providing for memorials for John Stark.

House Joint Resolution No. 32, Joint Resolution providing an appropriation for repair of dams.

House Joint Resolution No. 35, Joint Resolution in favor of Cora Shares.

The message also announced that:

The Senate had passed bills with the following titles, in

the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 59, An Act relative to method of payment of certain retirement benefits.

Senate Bill No. 69, An Act relative to the duties of the New Hampshire Commission on Interstate Cooperation.

Senate Bill No. 70, An Act relative to the board of adjustment in the city of Portsmouth.

Senate Bills Read and Referred

The following bills were severally introduced, read a first and second time and referred as follows:

Senate Bill No. 59, An Act relative to method of payment of certain retirement benefits. To the Committee on Appropriations.

Senate Bill No. 69, An Act relative to the duties of the New Hampshire Commission in Interstate Cooperation. To the Committee on Judiciary.

Senate Bill No. 79, An Act relative to the board of adjustment in the city of Portsmouth. To the Special Committee consisting of the delegation from the city of Portsmouth.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles and joint resolution by caption only.

Third Readings

House Bill No. 55, An Act relating to the taking of deer.

House Bill No. 208, An Act relative to fillling vacancies in office of councilman of the city of Portsmouth.

House Bill No. 209, An Act relative to compensation of councilmen of the city of Portsmouth.

House Bill No. 293, An Act relative to the North Church in Portsmouth.

House Bill No. 294, An Act relative to the first or north parish in Portsmouth.

House Bill No. 361, An Act relative to open season for taking pheasants.

House Bill No. 418, An Act relating to the Belknap County Recreational Area.

House Joint Resolution No. 46, Joint Resolution in favor of Voyin P. Stoykovich.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 16, An Act relative to proceedings in the assessment of taxes of railroads and utilities.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Otis of Concord at 1:50 o'clock the House adjourned.

THURSDAY, APRIL 16, 1953

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain Rt. Rev. Monseignor Gilbert of St. Jean de Baptiste Church, Manchester.

As we stand here, let us bow our heads, recollect our most fervent thoughts and open wide and deep our souls to prayer:

O GOD of Truth, Love, Justice, Power, Wisdom and Mercy, come unto us as we are gathered in Thy Holy presence.

Vouchsafe to enter into our hearts: teach us what we are to do and whither we ought to tend. Inspire us with such spirit of devotion to our tasks that will lengthen our brief life by intensity of living and fill every swift hour with glowing deeds.

We together express our broadest admiration and deepest appreciation for the abundant and unceasing gifts of faith, hope, charity, unselfishness, health, courage, power and success that Thou hast so mercifully and lovingly bestowed this Great Nation and upon our Beloved State of New Hampshire, since the day that Thou hast so wisely inspired and directed the Fathers and Founders of this American Republic.

At this cherished time, may Thine especial blessing rest upon His Excellency, Our Beloved Governor, upon every Honorable gentleman, member of this Senatorial and Legislative Body, upon every executive and each employee in the various departments of this State Government, upon their families and friends; that all may stand forth as inspired, loyal,

faithful and safe leaders and servants, brilliant men and women, proud and pleased citizens, who will soundly and securely weather every storm and strife of public duty and live above any fog of any suspicion in each public calling and dealing.

May the soul of each citizen of New Hampshire be made the quiet home of fervent duty to Thee, O GOD, and of helpfulness to his fellowmen, Thy creatures.

Remove from us all pride, prejudice, ignorance, misunderstanding, intolerance, greed, that we may go forward a united people worthy of Thy manifold blessings.

Forgive, O God of Mercy, the impatience of our unbelief and unfaithfulness. Overlook and forget our many breaches of loyalty to Thy just commands. Give us discerning minds and understanding hearts that this day onward, by our endeavours, the security, honor and welfare of the people of this Country and of this State, may be happily advanced. These gifts, we humbly beg from Thee in the name and through the merits of Christ, Your Son and Our Divine Redeemer: *Amen*

Leaves of Absence

Messrs. Malley of Somersworth, and Geisel of Manchester and Mrs. Hayward of Hanover were granted leave of absence for the day on account of important business.

Introduction of Bills

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Rules Committee (Mr. Griffin of Lincoln) House Bill No. 428, An Act relative to filing in registry office of evidence of highway taking. To the Committee on Executive Departments and Administration.

By Rules Committee (Mr. Wells of Newton) House Bill No. 429, An Act abolishing the so-called sinking fund and relative to state financing. To the Committee on Appropriations.

By Rules Committee (Mr. Pillsbury of Manchester) House Bill No. 430, An Act establishing a council on mental health. To the Committee on Judiciary.

By Rules Committee (Mr. Barry of Wilton), House Bill No. 431, An Act relating to the appropriation for Timber Tax

Reimbursement Fund. To the Committee on Appropriations.

By Rules Committee (Mr. Pillsbury of Manchester), House Joint Resolution No. 48, Joint Resolution in favor of Harold E. and Mary F. Wentworth. To the Committee on Appropriations.

On motion of Mr. Pillsbury of Manchester, the rules were so far suspended as to dispense with the printing of House Joint Resolution No. 48.

By Rules Committee (Mr. Dort of Chesterfield) House Joint Resolution No. 49, Joint Resolution to establish an interim commission to study the various phases of nursing. To the Committee on Public Health.

Committee Reports

On motion of Mr. McMeekin of Haverhill, the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Tilton of Laconia for the Committee on Appropriations to whom was referred Senate Bill No. 59, An Act relative to method of payment of certain retirement benefits. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Thomas of Dublin for the Committee on Municipal and County Government to whom was referred House Bill No. 304, An Act relative to increasing sheriffs fees. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Kearns of Manchester offered the following amendment:

Amend the title of the bill by adding at the end thereof the words, and increasing the salary of the sheriff of Hillsborough County, so that said title as amended shall read: An Act relative to increasing sheriff's fees and increasing the salary of the sheriff of Hillsborough County.

Amend the bill by inserting after section 2 a new section as follows:

3. *Hillsborough County.* Amend section 27, chapter

380 of the Revised Laws, as amended by chapter 195, Laws of 1943, chapter 189, Laws of 1945, section 2, chapter 2, Laws of 1947, section 3, chapter 202, Laws of 1947, and section 1, chapter 256, Laws of 1947, by striking out the words "nineteen hundred" in the eighth line and inserting in place thereof the words, two thousand four hundred, so that said section as amended shall read as follows: 27. *Salaries.* The annual salaries of the sheriffs of the several counties shall be as follows:

In Rockingham, fifteen hundred dollars.
In Strafford, one thousand dollars.
In Belknap, thirteen hundred dollars.
In Carroll, twelve hundred dollars.
In Merrimack, two thousand dollars.
In Hillsborough, two thousand four hundred dollars.
In Cheshire, fifteen hundred dollars.
In Sullivan. eight hundred dollars.
In Grafton. twelve hundred and fifty dollars.
In Coos, eighteen hundred dollars.

Further amend the bill by renumbering section 3 to read section 4.

The question being on the amendment.

On motion of Mr. Kearns of Manchester the rules were suspended to dispense with the reading of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Thomas of Dublin for the Committee on Municipal and County Government to whom was referred House Bill No. 372, An Act relative to town public works department. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of the bill by striking out same and inserting in place thereof the following:

An Act providing for additional duties for highway agents.

Amend section 1 of the bill by striking out section 1 and inserting in place thereof the following:

1. *Duties of Highway Agents.* Amend Part 16 of Chapter 188 of the Laws of 1945 by inserting after section 6 thereof the following new section: 6-a. *Additional Duties.* Any town may vote to require a highway agent, in addition to his usual

duties as highway agent, to have charge, under the direction of the selectmen, of the care and maintenance of any one or more of the following: collection of waste, refuse and garbage; care of public dumps; care of public parks and cemeteries; public beaches; public forests; public playgrounds; shade and ornamental trees.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Taken from the Table

House Bill No. 213, An Act relative to unincorporated associations.

The question being on the amendment as printed in the Journal of Tuesday, April 14th.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mrs. Corliss of Manchester for the Special Committee consisting of the delegation from the city of Manchester to whom was referred House Bill No. 48, An Act abolishing the finance commission for the city of Manchester. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act creating an interim commission to draft a home-rule charter for the city of Manchester.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Commission Appointed.* An interim commission consisting of nine (9) residents of Manchester shall be appointed for the purpose of drafting a home-rule charter for the city of Manchester. Of said commission, five members, of whom not more than three shall be of one political party and of whom two shall be members of the board of aldermen, shall be appointed by the mayor of Manchester. The Mayor shall be an advisory member ex-officio, without vote. Four members, of whom not more than half shall be members of the same political party, shall be appointed by the chairman of the Manchester city delegation to the legislature. The members shall elect a chairman from among their number. The members

of said commission shall serve without compensation but shall be reimbursed for their necessary expenses when engaged in the business of the commission.

Further amend the bill by inserting after section 1 the following new sections:

2. *Duties.* The duties of the commission shall be to prepare a draft of a charter which shall provide the maximum amount of home-rule allowable under the Revised Laws, including such powers as to levy, assess and collect taxes; levy and collect special assessments; to borrow money; to issue and sell bonds; to furnish all necessary local public services; to hire and establish hours and wages for city employees; to exercise all municipal powers, functions, rights, privileges and immunities of every name and nature whatsoever as may be granted under the constitution and general laws of the state. The charter shall repeal the statute establishing the Manchester Finance Commission.

3. *Appropriation.* There shall be appropriated from the general funds of the city of Manchester the sum of two thousand dollars ($2,000) or so much thereof as may be necessary for technical assistance and the actual expenses of the Commission which shall be spent under the authority of the full commission.

4. *Report Due.* The commission shall report its completed work to the 1955 session of the legislature and to the board of mayor and aldermen.

Further amend the bill by renumbering section 2 to read section 5.

The undersigned, a minority of the special committee consisting of the delegation from the city of Manchester to whom was referred House Bill No. 48, An Act abolishing the finance commission for the city of Manchester. Having considered the same and being unable to agree with the majority, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

DANIEL J. HEALY
A Minority of the Committee.

The reports were accepted.

Mr. Healy of Manchester, ward 6 moved that the report of the minority be substituted for the report of the majority.

The question being on the motion to substitute.

(Discussion Ensued)

Mr. Healy of Manchester, ward 6 spoke in favor of the motion.

Mr. Martel and Mrs. Corliss of Manchester spoke against the motion.

Mr. Kearns of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

On a *viva voce* vote the motion to substitute did not prevail.

Mr. Healy of Manchester demanded the yeas and nays but subsequently withdrew his demand.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 32, An Act relating to students attending educational institutions under reciprocal agreements.

House Bill No. 258, An Act relative to the certification of payroll manifests by the director of personnel.

House Bill No. 289, An Act relating to common trust funds and to make uniform the law with reference thereto.

The message further announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 313, An Act relative to the so-called state aid formula.

Amend the bill by striking out the full section thereof and inserting in place thereof the following:

1. *State Aid for Education.* Amend section 9-a of chapter 140 of the Revised Laws, as inserted by section 1, chapter 148, Laws of 1951, by striking out the whole thereof and inserting in place thereof the following: 9-a. *Formula.* For the purposes of section 9, the formula to determine the required programs shall be the sum of one hundred seventy-five dollars annually for each elementary pupil and two hundred twenty-five dollars annually for each high school pupil in average daily membership in approved public schools. A district which receives from local taxation for school purposes during the preceding fiscal year previous to computation of said aid a sum less than the yield of a tax of seventeen dollars per thousand of the district's adjusted valuation shall be ineligible to receive any foundation aid. Between October first and December thirty-first in each year the department of education shall compute the amount of state aid to be paid to eligible districts in the succeeding fiscal year using as a basis the last adjusted valuation of the district and the average daily membership in approved public schools for the preceding year. Whenever it shall appear or be made to appear to the tax commission that circumstances have so changed in any school district from one year to another, so that the use of the last adjusted valuation of the district is unfair, unjust or inequitable, the tax commission shall determine what changes or modifications shall be made in its adjusted valuation and shall so certify the same to the department of education by October first, which shall use such modified adjusted valuation in computing the aid to which such district is entitled. Such aid shall be paid to the district legally responsible for the education of the pupils who attend approved public schools within the district or in other districts as the case may be; such payment to be made on or before January fifteenth in the fiscal year for which such aid is granted.

On motion of Mr. Dutton of Peterborough the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 279, An Act relative to the care, treatment

and rehabilitation of sexual psychopaths.

Amend Section 3 of the Bill by adding after the word commission, in line 3, the words, with the approval of the committing court, so that said section as amended shall read as follows:

3. *Parole.* Amend section 7 of chapter 314 of the Laws of 1949 by inserting after paragraph II of the said section the following new paragraph: III. The commission with the approval of the committing court may release on parole for not more than one year at one time any sexual psychopath upon recommendation of the director that the person is improved and that, in his opinion, he is no longer dangerous to himself or others. The commission may establish the terms and conditions of such parole. The director may at any time for any reason revoke the parole and order the parolee to be returned to the institution from which he was paroled, under the original commitment. Such order shall be enforced by any officer in the state authorized to make arrests.

On motion of Mr. Matthews of New Hampton the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that:

The Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 64, An Act disannexing a certain homestead from the town of Colebrook and annexing the same to the place of Dixville for school purposes.

Senate Bill No. 78, An Act relating to evidence in actions or against the representatives of deceased persons.

Senate Bills Read and Referred

The following bills were severally introduced, read a first and second time and referred as follows:

Senate Bill No. 64, An Act disannexing a certain homestead from the town of Colebrook and annexing the same to the place of Dixville for school purposes. To the Committee on Education.

Senate Bill No. 78, An Act relating to evidence in actions or against the representatives of deceased persons. To the Committee on Judiciary.

Resolutions

Mr. Ecker of Manchester offered the following resolution:

Whereas, George W. Smith, Representative from Manchester, is seriously ill in Pembroke Sanitorium, therefore be it

Resolved, That we, the Members of the House of Representatives, New Hampshire Legislature, hereby extend our sympathy to our fellow member in his illness and our best wishes for a speedy recovery, and be it further

Resolved, That the Clerk of the House transmit to Represenative Smith a copy of these Resolutions.

On a *viva voce* vote the resolution was adopted.

Mrs. Delude of Unity offered the following resolution:

Whereas, Otis W. Jordan, Representative from the Town of Plainfield, is ill in the Claremont Hospital, now therefore be it

Resolved, That we, the Members of the House of Representatives of the New Hampshire Legislature, extend our sympathy to our fellow member in his illness and our best wishes for a speedy recovery of health, and be it further

Resolved, That the Clerk of the House transmit a copy of these Resolutions to Representative Jordan.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles and joint resolution by their captions only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

Third Readings

House Bill No. 48, An Act creating an interim commission to draft a charter for the city of Manchester.

House Bill No. 218, An Act relative to unincorporated associations.

House Bill No. 304, An Act relative to increasing sheriffs fees.

House Bill No. 372, An Act providing for additional duties for highway agents.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 59, An Act relative to method of payment of certain retirement benefits.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Noyes of Salem at 12:15 o'clock the House adjourned.

TUESDAY, APRIL 21, 1953

The House met according to adjournment.

Prayer was offered by Guest Chaplain Donald L. Osborne of Gilmanton Town Ministry.

God and Father of us all, remove from us, especially in these hours dedicated to the service of our people, all obstacles to mind and spirit that would keep us from rendering a full measure of devotion. Grant us purity of motive — strength of righteous conviction and when the day is done, a true sense of achievement. *Amen*

Leaves of Absence

Mr. Jennings of Goffstown was granted leave of absence for the day on account of illness.

Mrs. Goodwin of Hollis was granted leave of absence for the week on account of important business.

Mr. Jordan of Plainfield was granted leave of absence for the week on account of illness.

Messrs. Thibeault of Pembroke and Barton of Keene were granted leave of absence for the day on account of important business.

Qualified

Mr. Smith of Hinsdale, having qualified before His Excellency, the Governor, then appeared and took his seat as a member of the House of Representatives.

Introduction of a Bill

The following bill was introduced, read a first and sec-

ond time, laid upon the table to be printed and referred as follows:

By Rules Committee, (Mr. Dort of Chesterfield) House Bill No. 432, An Act amending the Unemployment Compensation Law. To the Committee on Labor.

Report of Committee on Engrossed Bills

Mrs. Corliss of Manchester for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Joint Resolutions, Senate and House Bills:

House Joint Resolution No. 7, Joint Resolution providing for memorials for John Stark.

House Joint Resolution No. 32, Joint Resolution providing an appropriation for repair of dams.

Senate Bill No. 16, An Act relative to proceedings in the assessment of taxes of railroads and utilities.

House Bill No. 68, An Act relative to the salary of the solicitor of Rockingham County.

House Bill No. 289, An Act relating to common trust funds and to make uniform the law with reference thereto.

The report was accepted.

Committee Reports

Mr. Killeen of Walpole for the Committee on Appropriations to whom was referred House Joint Resolution No. 31, Joint Resolution in favor of Normand Pelletier. Having considered the same, reported the same with the following Resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Payeur of Pembroke moved that the bill be recommitted to the Committee on Appropriations.

The question being on the motion to recomit.

(Discussion Ensued)

Messrs. Payeur of Pembroke, and McMeekin of Haverhill spoke in favor of the motion.

On a *viva voce* vote the motion to recommit prevailed.

Miss Loizeaux of Plymouth for the Committee on Ap-

propriations to whom was referred House Joint Resolution No. 39, Joint Resolution in favor of Lovell V. Oakes. Having considered the same, reported the same with the following Resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Black of Bennington moved that the words "ought to pass" be substituted for the report of the committee, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion Ensued)

Messrs. Black of Bennington, and Oakes of Columbia spoke in favor of the motion to substitute.

On a *viva voce* vote the motion to substitute the words "ought to pass" prevailed.

Mr. Washburn of Bartlett offered the following amendment:

Amend the said resolution by striking out the words "The sum appropriated hereby shall be a charge on the fish and game funds" and inserting in place thereof the words, the governor is authorized to draw his warrant for the sum appropriated hereby out of any money in the treasury not otherwise appropriated, so that said resolution as amended shall read as follows:

That the sum of two hundred dollars is hereby appropriated to reimburse Lovell V. Oakes for loss which he sustained when a horse belonging to him was killed by hunters October 17, 1951, in the town of Columbia. The governor is authorized to draw his warrant for the sum appropriated hereby out of any money in the treasury not otherwise appropriated.

The question being on the amendment.

(Discussion Ensued)

Mr. Washburn of Bartlett spoke in favor of the amendment.

Messrs. McMeekin of Haverhill and Burnham of Alstead, spoke against the amendment.

On a *viva voce* vote the amendment was not adopted and the bill was ordered to a third reading.

Mr. Ferguson of Pittsfield for the Committee on Appropriations to whom was referred House Joint Resolution No. 43, Joint Resolution in favor of Mrs. Helen Huckins. Having considered the same, reported the same with the following amendment, and the recommendation that the Joint Resolution as amended ought to pass.

Amend the joint resolution by striking out the words "at Franconia" in the third and inserting in place thereof the words, on September 19, 1952, at Crawford Notch State Park, so that said resolution as amended shall read as follows: That the sum of ten thousand dollars is hereby appropriated to Mrs. Helen Huckins as compensation for the death of her son Robert C. Huckins who was killed by a bear on September 19, 1952, at Crawford Notch State Park. The governor is hereby authorized to draw his warrant for the sum hereby appropriated out of any money not otherwise appropriated.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Dixon of Lyme for the Committee on Judiciary to whom was referred Senate Bill No. 46, An Act relating to attachments. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Saidel of Manchester for the Committee on Judiciary to whom was referred House Bill No. 252, An Act establishing a domestic relations court within the framework of the superior court. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Martel of Manchester moved that the words "ought to pass" be substituted for the report of the committee.

The question being on the motion to substitute.

(Discussion Ensued)

Mr. Martel of Manchester spoke in favor of the motion.

Mr. Jones of Lebanon spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the resolution of the committee, that it is inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Jones of Lebanon for the Committee on Judiciary to whom was referred House Bill No. 254, An Act relative to reconciliation proceedings before divorce. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Martel of Manchester moved that the words "ought to pass" be substituted for the report of the committee.

The question being on the motion to substitute.

(Discussion Ensued)

Mr. Martel of Manchester spoke in favor of the motion.

Mr. Wells of Manchester spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the resolution of the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Martel of Manchester called for a division but subsequently withdrew his demand.

Mrs. Cooper of Nashua for the Committee on Judiciary to whom was referred House Bill No. 253, An Act relative to divorce decrees. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Martel of Manchester moved that the words "ought to pass" be substituted for the report of the committee.

The question being on the motion to substitute.

(Discussion Ensued)

Mr. Martel of Manchester spoke in favor of the motion.

Messrs. Faulkner of Keene and Jones of Lebanon, and Mrs. Cooper of Nashua spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the resolution of the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Martel of Manchester called for a division.

A division being had 198 members having voted in the affirmative and 77 members having voted in the negative the resolution of the committee was adopted.

Mr. Cilley of Concord for the Committee on Municipal and County Government to whom was referred House Bill No. 335, An Act relative to reports of court expenditures and county borrowing. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Whittier of Bethlehem for the Committee on Transportation to whom was referred Senate Bill No. 52, An Act relating to the operation of motor vehicles. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by inserting after the word "departments" in the seventh line the words, forestry departments, and by inserting after the word "utilities' 'in the eighth line the words, or vehicles of state, city or town highway or public works departments, so that said section as amended shall read as follows:

1. *Emergency Vehicles.* Amend chapter 119 of the Revised Laws by adding after section 20 the following new section: 20-a. *Equipment.* It shall be unlawful for any motor vehicles to be operated on the ways of this state equipped with a red light on the front thereof or a red beacon on the roof thereof. This provision shall not apply to vehicles of law enforcement officers, public or private ambulances, vehicles of fire departments, forestry departments, wreckers, or volunteer members of fire departments or of public utilities, or vehicles of state, city or town highway or public works departments.

Amend section 2 of the bill by striking out the word "along" in the third line and inserting the words, on a traveled

portion of, so that said section as amended shall read as follows:

2. *Pedestrians.* Further amend chapter 119 of the Revised Laws by adding after section 22-a as inserted by chapter 212, Laws of 1949, the following new section: 22-b. *Pedestrians.* Any person walking on a traveled portion of a public highway shall walk on the left side thereof so that he is facing oncoming traffic. Any person violating the provisions of this section shall be fined not more than twenty-five dollars.

Further amend the bill by inserting after section 3 the following new section:

4. *Motor Vehicle Licenses.* Amend section 5 of chapter 85, Laws of 1953, by striking out said section and inserting in place thereof the following: 5. *Takes Effect.* This act shall take effect January 1, 1954, provided that licenses in effect as of said date shall expire in accordance with the provisions of law in force prior to the passage of this act, unless sooner revoked or suspended.

Further amend the bill by renumbering section 4 to read section 5.

The report was accepted.

Mr. Pillsbury of Manchester moved that the bill with amendments pending be recommitted to the Committee on Transportation.

The question being on the motion to recommit.

(Discussion Ensued)

Messrs. Pillsbury of Manchester and Whittier of Bethlehem spoke in favor of the motion.

On a *viva voce* vote the motion to recommit prevailed.

Mr. Whittier of Bethlehem for the Committee on Transportation to whom was referred Senate Bill No. 53, An Act relating to licenses to operate motor vehicles. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Whittier of Bethlehem for the Committee on Transportation to whom was referred House Bill No. 402, An Act relative to motor trucks. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 197, An Act relative to authority of the director of the state veterans council to act as guardian of mentally incompetent veterans in certain cases.

House Bill No. 210, An Act relative to the salary of the solicitor of Hillsborough county.

House Bill No. 296, An Act repealing provisions for the issuance of search warrants.

The message also announced that:

The Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 81, An Act to establish the rights and qualifications of non-resident real estate owners to vote.

Senate Bill No. 84, An Act relative to method of payment for clerk hire in the offices of registers of probate.

Senate Bill No. 85, An Act legalizing proceedings of town meetings in Croydon.

Senate Bills Read and Referred

The following bills were severally introduced, read a first and second time, and referred as follows:

Senate Bill No. 81, An Act to establish the rights and qualifications of non-resident real estate owners to vote.

To the Committee on Judiciary.

Senate Bill No. 84, An Act relative to method of payment for clerk hire in the offices of registers of probate.

Senate Bill No. 85, An Act legalizing proceedings of town meetings in Croydon.

To the Committee on Municipal and County Government.

Concurrent Resolution

Mr. Vaughan of Newport offered the following concurrent resolution:

Whereas, the Federal Communications Commission has set aside two valuable channels for educational television stations, one each being reserved for Durham and Hanover, and,

Whereas, the Governor has established the New Hampshire Commission for Educational Television which is making studies in the direction of using these channels, and

Whereas, additional time will be needed to complete these studies and submit them for legislative action, Now Therefore Be It

Resolved by the House of Representatives, the Senate Concurring,

That the Federal Communications Commission extend the reservation of these channels for at least two years beyond June 2, 1953 and that our Congressional Delegation be instructed to request such extension, and be it further

Resolved, that the Secretary of the State of New Hampshire be instructed to transmit a copy of this resolution to each member of the New Hampshire Congressional Delegation and to the Chairman of the Federal Communication Commission in Washington, D. C.

On a *viva voce* vote the concurrent resolution was adopted.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles and joint resolution by their captions only.

Third Readings

House Bill No. 335, An Act relative to reports of court expenditures and county borrowing.

House Joint Resolution No. 39, Joint Resolution in favor of Lovell V. Oakes.

House Joint Resolution No. 43, Joint Resolution in favor of Mrs. Helen Huckins.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 46, An Act relating to attachments.

Senate Bill No. 53, An Act relating to licenses to operate motor vehicles.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Christiansen of Berlin, at 12:50 o'clock the House adjourned.

WEDNESDAY, APRIL 22, 1953

The House met at 11:00 o'clock.

Prayer was offered by the chaplain.

O God, Helper and Defender of Thy children, we recall with gladness and thanksgiving all that Thou hast been to this world of men — Inspiration to the discouraged; Upholder of the loyal; Light of the wanderer; Joy of the disheartened; Strength of the weak; Friend of the poor, and Hope of the dying. We are ever grateful that Thou hast so identified Thyself with mortal man in his winding and changing pathway of life. We are grateful that Thou art a God whose feelings are touched with our infirmities, and we come to Thee this day asking Thee to be all in all to us according to our needs. Help us to renounce that self-dependence that puts Thee out of our life, and ever remember with the poet:

"My bark is wafted to the strand
By breath Divine;
And on the helm there rests a hand
Other than mine"

In the name of Jesus Christ our Lord. *Amen.*

Leaves of Absence

Mrs. Noyes of Salem was granted leave of absence for Wednesday and Thursday on account of important business.

Report of Committee on Engrossed Bills

Mr. Hyde of Andover, and Mrs. Landers of Keene for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled Senate and House Bills:

Senate Bill No. 59, An Act relative to method of payment of certain retirement benefits.

House Bill No. 197, An Act relative to authority of the director of the state veterans council to act as guardian of mentally incompetent veterans in certain cases.

House Bill No. 258, An Act relative to the certification of payroll manifests by the director of personnel.

House Bill No. 279, An Act relative to the care, treatment and rehabilitation of sexual psychopaths.

House Bill No. 296, An Act repealing provisions for the issuance of search warrants.

House Bill No. 313, An Act relative to the so-called state aid formula.

House Bill No. 183, An Act relative to per diem and mileage expenses of members of the county convention who are not representatives.

House Bill No. 320, An Act relative to liability between counties for support of paupers.

House Bill No. 328, An Act relative to policemen's retirement system.

The report was accepted.

Committee Reports

Miss Woodward of Waterville for the Committee on Education to whom was referred House Bill No. 91, An Act relating to the number of supervisory unions. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Young of Pittsfield for the Committee on Education to whom was referred House Bill No. 324, An Act relative to benefits under the teachers' retirement system. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Hayes of Concord for the Committee on Executive Departments and Administration to whom was referred House Bill No. 84, An Act relative to qualifications for registration

as legislative counsel. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Hadley of Hillsborough for the Committee on Executive Departments and Administration to whom was referred House Bill No. 259, An Act relating to violations of the fish and game laws by juveniles. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Brosnahan of Nashua for the Committee on Executive Departments and Administration to whom was referred House Bill No. 343, An Act relative to benefits under employee retirement system. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Powell of Sutton for the Committee on Executive Departments and Administration to whom was referred House Bill No. 368, An Act relative to bids and contracts for state printing and binding. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fuller of Hanover for the Committee on Executive Departments and Administration to whom was referred House Bill No. 406, An Act relative to the election of county commissioners by districts or by counties. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Benson of Conway moved that the bill be recommitted to the Committee on Municipal and County Government.

The question being on the motion to recommit.

(Discussion Ensued)

Messrs. Benson of Conway, and Ferguson of Pittsfield spoke in favor of the motion.

Mr. Rainie of Concord spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Moore of Bradford called for a division.

A division being had 78 members having voted in the affirmative and 203 members having voted in the negative the motion to recommit did not prevail.

Mr. Ferguson of Pittsfield moved to recommit to the Committee on Executive Departments and Administration.

The question being on the motion to recommit.

(Discussion Ensued)

Mr. Ferguson of Pittsfield spoke in favor of the motion.

Mr. Rainie of Concord spoke against the motion.

Mr. McMeekin of Haverhill moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion Ensued)

Mr. McMeekin of Haverhill and Mrs. Brungot of Berlin spoke in favor of the motion.

Messrs. Blake of Swanzey, Moore of Bradford, and Benson of Conway spoke against the motion.

On a *viva voce* vote the motion to indefinitely postpone prevailed.

Mr. Moore of Bradford called for a division

A division being had 215 members having voted in the affirmative, and 48 members having voted in the negative the motion to indefinitely postpone prevailed.

Mr. Parmenter of Londonderry for the Committee on Executive Departments and Administration to whom was referred House Joint Resolution No. 44, Joint Resolution relative to a study of the problems connected with aged persons. Having considered the same, reported the same with the following Resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fuller of Hanover for the Committee on Executive Departments and Administration to whom was referred House Bill No. 242, An Act relating to modification of the mileage table for legislators. Having considered the same, reported the same, with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Crandall of Dover moved that the words "ought to pass" be substituted for the report of the Committee.

The question being on the motion to substitute.

(Discussion Ensued)

Messrs. Crandall of Dover, and Diffenderfer of Ossipee spoke in favor of the motion.

Mr. Rainie of Concord spoke against the motion.

On a *viva voce* vote the motion to substitute prevailed.

Mr. Crandall of Dover offered the following amendment.

Amend section 2 of the bill by striking out the words "upon its passage" and inserting in place thereof the following: January 7, 1953, so that said section as amended shall read as follows:

2. *Takes Effect.* This act shall take effect January 7, 1953.

The question being on the amendment.

(Discussion Ensued)

Mr. Diffenderfer of Ossipee and Mr. Crandall of Dover spoke in favor of the amendment.

Mr. Rainie of Concord spoke against the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Wadleigh of Milford for the Committee on Judiciary to whom was referred House Bill No. 268, An Act relative to neglected and delinquent children. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by adding after the word "support" in lines seven and sixteen the words, and the court

may make orders of reimbursements to towns of residents as may be reasonable and just, so that said section as amended shall read as follows:

1. *Custody.* Amend section 7 of chapter 132 of the Revised Laws by adding at the end thereof the following sentence: Provided, however, that if custody in any such case is awarded to the commissioner of public welfare, the expense for the maintenance and care of the child shall be borne by the town in which the child resides, and the town shall have a right of action over for such expense against whoever is legally chargeable for the child's support and the court may make orders of reimbursements to towns of residents as may be reasonable and just, so that said section as amended shall read as follows: 7. *Custody.* Pending final disposition of the case, the child may be retained in the custody of the person having the child in charge, or in the custody of the probation officer, or may be kept in some suitable place at the expense of the town, county or state, as may be ordered by the court. Provided, however, that if custody in any such case is awarded to the commissioner of public welfare, the expense for the maintenance and care of the child shall be borne by the town in which the child resides, and the town shall have a right of action over for such expense against whoever is legally chargeable for the child's support, and the court may make orders of reimbursements to towns of residents as may be reasonable and just.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Moore of Bradford for the Joint Committee on Liquor Laws and Public Works to whom was referred House Bill No. 337, An Act relative to prohibiting the sale of beer or ale in non-returnable containers. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. McAllister of Barnstead moved that the words "ought to pass" be substituted for the report of the committee.

The question being on the motion to substitute.

(Discussion Ensued)

Mr. McAllister of Barnstead and Mrs. Funkhouser of Durham spoke in favor of the motion.

Messrs. Deans of Milford, Spaulding of Hudson, and Hayes of Concord spoke against the motion.

Mr. Kershaw of Swanzey moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the words "ought to pass."

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the resolution of the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Maxham of Concord for the Committee on Public Welfare and State Institutions to whom was referred House Bill No. 413, An Act relative to licensure by the public welfare department. Having considered the same, reported the same with the following resolution.

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Wadleigh of Milford for the Committee on Judiciary to whom was referred House Bill No. 267, An Act relative to the support of children in divorce cases. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by adding at the end thereof the words, and the Court may make orders of reimbursements to towns of residents as may be reasonable and just, so that said section as amended shall read as follows:

1. *Court Orders*: Amend chapter 339 of the Revised Laws by adding after section 15 the following new section: 15-a *Orders for Support.* Whenever the court, acting under the foregoing sections, shall award the custody of a child to the commissioner of public welfare, the court shall make a further order requiring the town in which the child resides at the time the order is made to bear the expense for the maintenance and

care of said child, and the town shall have a right of action over for such expense against whoever is legally chargeable for the child's support, and the Court may make orders of reimbursements to towns of residents as may be reasonable and just.

The undersigned, a minority of the Committee on Judiciary to whom was referred House Bill No. 267, An Act relative to the support of children in divorce cases. Having considered the same and being unable to agree with the majority, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

DANIEL J. HEALY,
A Minority of the Committee

The reports were accepted.

Mr. Healey of Manchester, Ward 6, moved that the report of the minority be substituted for that of the majority.

The question being on the motion to substitute.

(Discussion Ensued)

Messrs Healy of Ward 6, and Saidel of Manchester spoke in favor of the motion.

Messrs. Wells of Newton and Wadleigh of Milford spoke against the motion.

Mr. Hart of Laconia moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the minority report, inexpedient to legislate.

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 183, An Act relative to per diem and

mileage expenses of members of the county convention who are not representatives.

House Bill No. 320, An Act relative to liability between counties for support of paupers.

House Bill No. 328, An Act relative to policemen's retirement system.

House Bill No. 394, An Act providing primary elections for the city of Keene.

The message further announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 348, An Act relative to the salary for county commissioners of Carroll and Sullivan Counties.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to the salaries for commissioners of Carroll and Sullivan counties.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Carroll and Sullivan Counties.* Amend section 27 of chapter 47 of the Revised Laws, as amended by chapters 119, 150, 195 and 202 of the Laws of 1943, by chapters 66 and 163 of the Laws of 1945, by chapters 202 and 284 of the Laws of 1947, by chapters 73 and 162 of the Laws of 1949 and by chapters 149 and 233 of the Laws of 1951, by striking out in the fourteenth line the word "eight" and inserting in place thereof the word, ten, and by striking out the word ten in the tenth line and inserting in place thereof the word, twelve, so that said section as amended shall read as follows: 27. *Commissioners.* The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, eighteen hundred dollars.
In Strafford, twelve hundred dollars.
In Belknap, twelve hundred dollars.
In Merrimack, fifteen hundred dollars.
In Hillsborough, three thousand dollars.
In Cheshire, fifteen hundred dollars.

In Sullivan, twelve hundred dollars.

In Grafton, twelve hundred dollars.

In Coos, fifteen hundred dollars.

In Carroll county each commissioner, when employed in the business of the county, shall reecive ten dollars a day, payable as hereinbefore provided. To the foregoing sums shall be added, in all counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

On motion of Mr. Diffenderfer of Ossipee the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that:

The Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 139, An Act regarding the closing of certain lakes and ponds for fishing.

Amend section 1 of said bill by striking out the first seven lines and inserting in place thereof the following:

1. *Regulations by Fish and Game Director.* Amend section 14 of chapter 240 of the Revised Laws as amended by chapter 132, Laws of 1947, by inserting after the word "days" in the seventh line the words, for stocking or conservation purposes and ninety days to reclaim ponds, so that said section as amended shall

On motion of Mr. Brown of Loudon the House concurred in the adoption of the amendments proposed by the committee on engrossed bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 175, An Act relative to the audit and post audit of state accounts.

Amend the first sentence of section 12-a, chapter 23-A, Revised Laws, as inserted by section 2 of said bill by striking out the words "constituted by section 2, chapter 296, of the Laws of 1947," so that said first sentence as amended shall read as follows: The legislative budget assistant shall post-audit

all state revenue receipts and audit the accounts of the state treasurer.

On motion of Mr. Holden of Hanover the House concurred in the adoption of the amendments proposed by the committee on engrossed bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 210, An Act relative to the salary of the Solicitor of Hillsborough county.

Amend section 1 of said bill by striking out the first nine lines and inserting in place thereof the following:

1. *Salary of Solicitor of Hillsborough County.* Amend section 20 of chapter 24 of the Revised Laws as amended by chapters 40 and 136, Laws of 1943, chapters 2, 27, 202, 213, 242, 263, 268 and 270, Laws of 1947, by chapter 183, Laws of 1949, and by chapter 108, Laws of 1953, by striking out the word "twenty eight" after the word "Hillsborough" and inserting in place thereof the word, thirty-three, so that said section as amended shall read as follows: 20. *Salaries.* The annual salaries of the solicitors in the several counties shall be as follows:

In Rockingham, twenty two hundred dollars.

On motion of Mr. Saidel of Manchester the House concurred in the adoption of the amendments proposed by the committee on engrossed bills.

The bill was then sent to the Secretary of State to be engrossed.

Resolution

Mrs. Mahoney of Concord offered the following resolution:

Whereas, today, April 22, is the birthday of Edward Crewes Black, Representative from Bennington, therefore be it

Resolved, that we, the Members of the House of Representatives, extend our congratulations to Colonel Black on this occasion and our best wishes for a Happy Birthday today and for many more years to come.

On a *viva voce* vote the resolution was adopted.

Resolution

On motion of Mrs. McDonald of Kingston the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles only.

Third Readings

House Bill No 84, An Act relative to qualifications for registration as legislative counsel.

House Bill No. 242, An Act relating to modification of the mileage table for legislators.

House Bill No 267, An Act relative to the support of children in divorce cases.

House Bill No. 268, An Act relative to neglected and delinquent children.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Griffin of Auburn at 1:55 o'clock the House adjourned.

THURSDAY, APRIL 23, 1953

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Rev. Denis Horan, St. Mary's Catholic Church, Dover.

Almighty and most loving Father, who in Thy wisdom dost guide and protect Thy creatures in all their undertakings, grant this day, to those who have been granted the power to make laws, that they may work for the common good of Thy people. Shield them from all narrowness, all bias, all prejudice: make them courageous and strong, free from all selfish, unworthy motives. Let them realize the seriousness of the trust that has been placed in them, and with Thy aid and grace, make our State, our Country, a happier and prosperous place to live. *Amen*

Leaves of Absence

Messrs. Spaulding of Hudson, and Pinkham of Northwood and Miss Woodward of Waterville and Mrs. Cooper of Nashua were granted leave of absence for the day on account

of important business. Mr. Clow of Wolfeboro was granted leave of absence for the day on account of illness.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Rules Committee, (Mr. Lessels of Concord), House Bill No. 433, An Act relating to retirement benefits. To the Committee on Appropriations.

By Rules Committee (Mr. Pillsbury of Manchester) House Bill No. 434, An Act to provide for a central commissary bakery at the state prison. To the Committee on Appropriations.

By Rules Committee, (Mr. Pillsbury of Manchester) House Bill No. 435, An Act to establish a new apportionment for the assessment of public taxes. To the Committee on Municipal and County Government.

By Rules Committee (Mr. Perley of Lebanon) House Bill No. 436, An Act legalizing the annual meeting of Lebanon Water Works. To the Delegation from Lebanon.

On motion of Mr. Perley of Lebanon the rules of the House were suspended to dispense with the printing and reference to committee of House Bill No. 436 and the bill put upon its third reading and final passage, by title only, at the present.

Read a third time and passed and sent to the Senate for concurrence.

By Rules Committee (Mr. Spaulding of Hudson) House Joint Resolution No. 50, Joint Resolution in favor of the department of the adjutant general. To the Committee on Appropriations.

By Rules Committee (Mr. Barry of Wilton) House Joint Resolution No. 51, Joint Resolution providing for granting of special citations to state employees for suggestions for improvement of state service. To the Committee on Appropriations.

Reconsideration

Mr. Rainie of Concord moved that the House reconsider its vote whereby it voted as inexpedient to legislate, House Joint Resolution No. 44, Joint resolution relative to a study of the problems connected with aged persons.

On a *viva voce* vote the motion prevailed.

Recommitted

On motion of Mr. Rainie of Concord, House Joint Resolution No. 44, Joint resolution relative to a study of the problems connected with aged persons, was recommitted to the Committee on Executive Departments and Administration.

Order Vacated

Mr. Malley of Somersworth moved that the rules of the House be suspended and the order whereby House Bill No. 136, An Act relative to forest conservation and taxation was referred to the Committee on Resources, Recreation and Development be vacated and the bill be referred to a Joint Committee consisting of Resources, Recreation and Development and Ways and Means.

The question being on the motion.

(Discussion Ensued)

Mr. Malley of Somersworth spoke in favor of the motion.

Messrs. Dort of Chesterfield and Perley of Lebanon spoke against the motion.

On a *viva voce* vote the motion to suspend the rules did not prevail.

Report of Committee on Engrossed Bills

Mrs. Mahoney of Concord for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House and Senate Bills, House Joint Resolutions:

Senate Bill No. 46, An Act relating to attachments.

Senate Bill No. 53, An Act relating to licenses to operate motor vehicles.

House Bill No. 118, An Act relative to pari mutuel pools at race meets.

House Bill No. 139, An Act regarding the closing of certain lakes and ponds for fishing.

House Bill No. 175, An Act relative to the audit and post audit of state accounts.

House Bill No. 210, An Act relative to the salary of the solicitor of Hillsborough County.

House Bill No. 348, An Act relative to the salaries for commissioners of Carroll and Sullivan counties.

House Joint Resolution No. 38, Joint Resolution providing for abatement of river bank erosion.

House Joint Resolution No. 41, Joint Resolution in favor of Lawrence A. White.

The report was accepted.

Committee Reports

Mr. Geisel of Manchester for the Committee on Banks to whom was referred House Bill No. 107, An Act relating to investments of savings banks. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend paragraph IV of section 1 of chapter 310 of the Revised Laws as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

IV. *Capital Funds.* The total of capital stock, if any, surplus, undivided profits, guaranty fund and guaranty fund surplus.

Amend paragraph VIII of section 1 of chapter 310 of the Revised Laws as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

VIII. *Net Income.* Income after deducting operating expenses, taxes, insurance, rentals, guaranteed interest, guaranteed dividends and charges for depreciation, depletion and obsolescence. In the case of a company formed by the consolidation of two or more existing companies, the net income for the years preceding such consolidation shall be the combined net income of the consolidated companies.

Amend paragraph XVIII of section 1 of chapter 310 of the Revised Laws as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

XVIII. *Telephone and/or Telegraph Company.* Any company organized and doing a major portion of its business in continental United States, provided it shall derive not less than eighty per cent of its income directly or indirectly from telephonic or telegraphic communication or a combination thereof.

Amend paragraph XIX of section 1 of chapter 310 of the

Revised Laws as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

XIX. *Utility Company.* Any company organized and doing a major portion of its business in continental United States, provided it shall derive not less than eighty per cent of its income from the sale of electricity, artificial gas, natural gas, steam for power or heating purposes, or a combination thereof, and provided that at least seventy-five per cent of all natural gas distributed by it is purchased from independent sources.

Amend paragraph XX of section 1 of chapter 310 of the Revised Laws as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

XX. *Water Company.* Any company organized and doing a major portion of its business in continental United States, provided it shall derive not less than eighty per cent of its income from the sale of water.

Amend section 2 of chapter 310 of the Revised Laws as inserted by section 1 of said bill by striking out said section and inserting in place thereof the following:

2. *Requirement.* Savings banks and savings departments of banking and trust companies shall maintain a reserve of not less than fifteen per cent of the amount of their deposits in cash, including balances in other banks, and/or obligations of the United States of America and shall make investment of the balance of their funds only in the classes of securities and loans authorized by this chapter, provided, however, that said requirement with respect to said reserve shall not apply to any bank which is a member of the Federal Reserve System.

Amend paragraph I of section 3 of chapter 310 of the Revised Laws as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

I. Not exceeding fifteen per cent of the capital funds shall be invested in the obligations or stock of any individual, partnership or corporation except public obligations and loans authorized by paragraphs II and III of section 4 of this chapter, without the written permission of the commissioner.

Amend paragraph I of section 4 of chapter 310 of the Revised Laws as inserted by section 1 of said bill by striking

out said paragraph and inserting in place thereof the following:

I. *New Hampshire Real Estate.* Those directly secured by first mortgage on real estate situated within this state or within any state contiguous to this state; but no such investment shall be in a loan that exceeds seventy per cent of the value of the real estate by which it is secured; except that investment may be in a loan which exceeds seventy per cent but not eighty per cent of the value of the real estate by which it is secured, provided that it be secured by a first mortgage on real estate in this state containing a dwelling unit for not more than four families, and which mortgage shall provide for payment of the note within a period of twenty years from the date when the first monthly payment shall become due, and the first monthly payment shall become due nine months from the date of the note or one month from the final disbursement of funds, whichever shall first occur, and which payments shall include a proportionate share of the amount necessary to pay the real estate and other taxes upon such property. No loan on mortgage shall be made except upon written application showing the date, name of applicant, amount asked for and security offered, and except upon report of not less than two members of the board of trustees or board of directors, who shall certify on said application, according to their best judgment, on the basis of an appraisal made by one of their members, or by some officer of the bank, or some appraiser employed by the bank for the purpose of appraisal, the value of the premises to be mortgaged; and such application shall be filed and preserved with the records of the corporation. The premises so mortgaged shall be revalued in the same manner at intervals of not more than five years so long as they are mortgaged to the corporation. If at the time of such revaluation the amount of the loan is in excess of the percentage of the value of the premises mortgaged as allowed above, a sufficient reduction in the amount of the loan shall be required, as promptly as may be practical, to bring the loan to within the authorized percentage. In determining whether any loan exceeds the authorized percentage of the value of the real estate, no consideration shall be given to (1) that portion of the obligation which is guaranteed by the Administrator of Veterans' Affairs under Title III of the Servicemen's Readjustment Act of 1944, as amended from time to time, or (2)

an obligation wholly guaranteed under such title, nor shall any bank be restricted to the above authorized percentages on a loan secured by property which the borrower is purchasing from the bank.

Amend paragraph I-A of section 4 of chapter 310 of the Revised Laws as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

I-A. *Buildings at Hampton.* Buildings on land at Hampton in the County of Rockingham owned by lessees of real estate owned by the Town of Hampton and leased by said Town to Hampton Beach Improvement Company or directly to other lessees, together with those owned by sublessees or lessees of Hampton Beach Improvement Company or the Town of Hampton shall be construed to be real estate for the purposes of paragraph I.

Amend paragraph I-B of section 4 of chapter 310 of the Revised Laws as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

I-B. *Equipment, Machinery and Furnishings on New Hampshire Real Estate.* Those directly secured by first mortgage on (1) equipment of the types which are accepted for mortgage by the Federal Housing Commissioner and which is declared by the mortgagor to have been affixed to and become a part of the real estate, or (2) equipment, furnishings or machinery of a commercial nature; provided, that the value of such equipment, furnishings or machinery be appraised in accordance with paragraph I of this section separately from the real estate on which it stands and that the part of a loan based upon such equipment, furnishings or machinery shall not exceed thirty-three and one-third per cent of the value of such equipment, furnishings or machinery, and further provided that such equipment, furnishings or machinery be installed on real estate located within this state and that such real estate is also subject to the same morgage, in accordance with paragraph I of this section, the value of which real estate provides security for not less than seventy-five per cent of the loan. The equipment, furnishings or machinery so mortgaged shall be revalued in the same manner as above at intervals of not more than two years so long as they are mortgaged to the corporation.

Amend paragraph II of section 4 of chapter 310 of the Revised Laws as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

II. *Loans Insured by the Federal Housing Commissioner and Other Guaranteed Loans.* Those secured by mortgage on real estate situated within or without this state and without respect to the value of such real estae if the Federal Housing Commissioner has insured, or made commiment to insure, such notes and bonds, provided the laws of the United States entitle the mortgagee to receive payment of such insurance in cash or the debentures hereafter described, and such debentures issued by the Federal Housing Commissioner as are fully guaranteed as to principal and interest by the United States and those wholly guaranteed by the Administrator of Veterans' Affairs under Title III of the Servicemen's Readjustment Act of 1944, as amended from time to time.

Amend paragraph IV of section 5 of chapter 310 of the Revised Laws as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

IV. *Unsecured.* Notes with two or more signers, or one or more endorsers, or notes of noncorporate makers whose net worth is not less than two hundred and fifty thousand dollars. No savings bank shall invest under this paragraph, except in notes with two or more signers, or one or more endorsers, unless its guaranty fund is full and unimpaired and the total value of its assets as determined by the commissioner exceeds the amount of its deposits by at least ten per cent. A bank which takes under this paragraph a note payable on demand shall demand payment of said note not later than one year from the date thereof, but may accept a new note in payment of such demand note. The provisions of this paragraph shall not apply to notes eligible for insurance by the Federal Housing Commissioner, provided a contract of insurance exists between the holder and the Federal Housing Commissioner as provided in Title I of the National Housing Act.

Amend paragraph I of section 6 of chapter 310 of the Revised Laws as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

I. *United States.* The obligations of the United States of America, or those for which the faith and credit of the

United States is pledged to provide for the payment of interest and principal.

Amend section 8 of chapter 310 of the Revised Laws as inserted by section 1 of said bill by striking out said section and inserting in place thereof the following:

8. *Legal Investments — Utility Companies.* The following described securities are legal investments:

I. *Funded Debt Obligations.* Funded debt obligations issued, assumed or guaranteed as to principal and interest by utility companies and funded debt obligations of companies controlled by such utility companies, for the refunding of which, mortgage bonds of such utility companies are specifically reserved, provided:

(a) Such companies have an annual gross operating revenue of at least five million dollars; and

(b) The total funded debt does not exceed sixty per cent of the total capital; and

(c) In at least three of the four years next preceding such investment the net income, after all taxes, available for interest on the total outstanding funded debt shall be at least two times all interest paid during such years on the total outstanding funded debt during such years; and

(d) The obligation of the company to pay interest on the funded debt obligation is fixed and absolute subject only to laws of general application affecting the rights and remedies of mortgagees and creditors.

"Funded debt" as used in this section shall mean all interest bearing obligations having a maturity of more than one year from their dates of issue.

"Total capital" as used in this section shall mean the sum of (1) the aggregate principal amount of the outstanding funded debt, (2) the aggregate amount of par or stated capital represented by all outstanding preferred and common stock including premiums, if any, on such preferred and common stock and (3) surplus accounts.

II. *Preferred Stock.* The dividend-paying capital stock of senior preference, and also such stock of those junior preferences which when combined with the senior preference stock meet the requirements herein established, of utility companies, provided:

(a) The funded debt obligations, if any, are legal investments hereunder; and

(b) Such companies have an annual gross operating revenue of at least ten million dollars; and

(c) The aggregate amount of par or state capital represented by all outstanding common stock including premiums, if any, on common stock plus surplus accounts shall equal at least twenty-seven and one-half per cent of total capital; and

(d) In at least three of the four years next preceding such investment the amount available for dividends on common stock shall have been a sum equal to not less than ten per cent of the gross operating revenues for such years; and

(e) In at least three of the four years next preceding the investment the net income, after all taxes, available for interest on all debt and dividends on the preferred stock shall have been at least one and one-half times the sum of (1) the interest paid on all debt and (2) the divdends paid on the preferred stock, during such years.

III. *Common Stock.* The dividend-paying capital stock of utility companies, provided:

(a) All securities senior to such stock are legal investments hereunder; and

(b) Such companies have an annual gross operating revenue of at least seventeen million five hundred thousand dollars; and

(c) The common stock is listed on some stock exchange.

Amend paragraph III of section 9 of chapter 310 of the Revised Laws as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

III. *Common Stock.* The dividend-paying capital stock of water companies, provided:

(a) All securities senior to such stock are legal investments hereunder; and

(b) In at least three of the four years next preceding such investment the income available for the common stock of such companies shall have been not less than the dividends paid.

Amend paragraph III of section 10 of chapter 310 of the Revised Laws as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

III. *Common Stock.* The dividend-paying capital stock of such companies, provided:

(a) All securities senior to such stock are legal investments hereunder; and

(b) In at least three of the four years next preceding such investment the income available for the common stock dividends of such companies shall have been not less than the dividends paid.

Amend paragraph II of section 12 of chapter 310 of the Revised Laws as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

II. *New Hampshire Insurance Companies.* The dividend-paying capital stock of any insurance company organized under the laws of and doing business in the state and having a combined capital stock and surplus of not less than two million dollars and provided that such company in at least four of the five years next preceding investment shall have earned net income available for dividends of at least four per cent on the par or stated value of the entire outstanding issue of the stock in question; and no bank shall hold more than five per cent of the outstanding stock of any such company.

Amend paragraph II of section 15 of chapter 310 of the Revised Laws as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

II. *Preferred Stock.* The dividend-paying stock of senior preference of industrial corporations incorporated in and doing business in the United States which have assets, after reserves for depreciation, depletion and obsolescence, of at least ten million dollars, provided:

(a) Such corporation shall have originally issued at least one hundred and fifty thousand shares of such stock; and

(b) All securities of such corporation senior to the preferred stock, if any, are legal investments hereunder and do not exceed more than fifteen per cent of total capital; and

(c) Such corporation shall, in four of the five years next preceding investment, have earned its preferred dividend requirements, including interest, if any, at least three times; and

(d) The dividends on such stock shall be cumulative and

have been paid regularly and in full in each of the ten years next preceding investment; or

(e) If such stock has been issued within ten years of the date of investment, the dividends on such stock shall be cumulative and have been paid in full in every year since its issuance and provided the corporation which issued such stock shall have had earnings during each of those ten years equal pro forma to at least three times overall coverage.

Amend section 16 of chapter 310 of the Revised Laws as inserted by section 1 of said bill by striking out said section and inserting in place thereof the following:

16. *Other Legal Investments.* The following described securities are legal investments:

I. *Securities of Corporations Under the Supervision of the Farm Credit Administration.* Bonds issued under the provisions of the Federal Farm Loan Act, debentures issued by the Federal Intermediate Credit Banks, and debentures issued by the Central Bank for Cooperatives.

II. *Securities of the Federal Home Loan Banks.* Capital stock, debentures, or other securities issued under the provisions of the Federal Home Loan Bank Act.

III. *Bankers' Acceptances.* Acceptances of member banks of the Federal Reserve System of the kinds and maturities made eligible for rediscount and purchase by Federal Reserve Banks.

IV. *International Bank for Reconstruction and Development.* The obligations issued or guaranteed by the International Bank for Reconstruction and Development, provided that such obligations are payable in dollars in the United States, and that the principal office of the obligor is, at the time of making such investment, located within the United States.

Amend section 19 of chapter 310 of the Revised Laws as inserted by section 1 of said bill by striking out said section and inserting in place thereof the following:

19. *Safe Deposit Business: Buildings.* Any savings bank may engage in the business commonly known as safe deposit business either by owning vaults on its premises or by owning the stock of a corporation organized under the laws of this state to conduct such business located on the premises of such bank. No savings bank shall expend in the acquisition of such

stock and in the purchase, construction, or remodeling of any building or vaults, for the purpose in whole or in part, of accommodating the business of such bank, a greater sum than the amount of its unimpaired capital funds, except as it is authorized to do so by the commissioner.

Amend section 23 of chapter 310 of the Revised Laws as inserted by section 1 of said bill by striking out said section and inserting in place thereof the following:

23. *Officers' and Trustees' Liability.* If any officer or trustee of any savings bank or savings department of a banking and trust company shall knowingly and wilfully violate any of the provisions of law regulating and limiting investments of savings banks, he shall, in addition to the penalties otherwise prescribed, be personally liable for all loss which the bank shall suffer by reason of such illegal investment; and it shall be the duty of the commissioner to sue for and recover such loss in an action of debt for the benefit of such bank.

Amend section 25 of chapter 310 of the Revised Laws as inserted by section 1 of said bill by striking out said section and inserting in place thereof the following:

25. *List of Legal investments.* Within the first ten days of November of each year the commissioner shall prepare a list of all securities which, under his rulings, are then legal investments under sections 7 through 15 inclusive of this chapter. The commissioner shall each month issue supplements noting any changes in the investment list which have taken place since the prior full list was published. Said list shall at all times be open to public inspection and a copy thereof shall be sent to every savings bank and trust company. In the preparation of any list which the commissioner is required to furnish, he may employ such expert assistance as he deems proper or may rely upon information contained in publications which he deems authoritative in reference to such matters; and he shall be in no way held responsible for the omission from such list of any securities which conform to the provisions of this section, nor for the inclusion therein of any securities which do not so conform.

Amend secton 27 of chapter 310 of the Revised Laws as inserted by section 1 of said bill by striking out said section and inserting in place thereof the following:

27. *Retention of Securities.* Any security which at the time of its purchase constituted a legal investment under the

laws and conditions then existing may be retained notwithstanding the fact that, because of changes in the law relating to legal investments or because of conditions arising subsequent to the purchase of such security, its purchase might not then be legal.

The report was accepted, and the amendment laid upon the table to be printed under rule 48.

Mr. Robinson of Gorham for the Committee on Education to whom was referred House Bill No. 338, An Act relative to cooperative school districts. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following: 1. *Cooperative School Districts.* Amend section 1 of chapter 199 of the Laws of 1947, as inserted by chapter 213, Laws of 1951, by striking out said section and inserting in place thereof the following: 1. *Definitions.* The terms used in this chapter shall be construed as follows, unless a different meaning is clearly apparent from the language or context:

I. "Cooperative school district" means a district composed of two or more school districts of the state associated together under the provisions of this act and may include either the elementary schools, the secondary schools, or both.

II. "Elementary school" shall mean all grades from the kindergarten or grade one through grade six, or kindergarten or grade one through grade eight.

III. "Secondary school" shall mean all grades from grade seven through grade twelve, or grade nine through grade twelve.

IV. "Cooperative school board" shall mean a school board serving a cooperative school district.

V. "Pre-existing district" shall mean a district or portion of a district which is included within the boundaries of a proposed or established cooperative school district.

VI. "Board" shall mean the state board of education.

VII. "Commissioner" shall mean commissioner of education.

VIII. "Establishment" shall mean the date set in the resolution adopted at the organization meeting.

Amend section 2 by striking out said section and inserting in place thereof the following: 2. *Procedure.* Amend paragraph I of section 3 of chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951, by striking out said paragraph and inserting in place thereof the following: I. The board is hereby authorized and empowered to suggest in this state cooperative school districts to provide for the educational needs and services of elementary and secondary school children and youth, to determine and define the boundaries, and to designate said districts by name, number and such other description as it shall deem proper. Any school district desirous of becoming a part of a suggested cooperative school district for a region shall at a duly called annual or special meeting by a majority vote of those present and voting vote to petition the board to become a part of a cooperative school district. One or two representatives from each pre-existing district shall be elected at the petitioning meetings to form an Interim Committee who shall prepare a financial budget for the operation of the proposed cooperative district. The district clerk shall within ten days after the meeting forward to the board a certified record of the meeting, a certified copy of the warrant articles acted upon at the meeting, and also certification of the posting of the notice of the meeting plus the results of the election to the Interim Committee. The records of each meeting shall show that a majority of the qualified voters present and voting in each duly called school district meeting are in favor of joining a cooperative school district of the region as approved and laid out by the board. Following a vote by the individual districts of the suggested cooperative school district, the board is empowered to lay out a proposed cooperative school district when a sufficient number of districts of the original proposal have indicated their desire by a majority vote of the qualified voters to become a part of a cooperative school district, and if in the board's judgment the districts so voting would constitute an administrative unit possessing the necessary conditions to make it to the best interests of the region to be so organized. Within ten days after the making and entry of the orders pursuant to this section, the board shall transmit a certified copy thereof to the clerk and to the chairman of the school board of each school district, indicating the territory which is affected by said orders. Each school board shall within ten days after receipt of such orders cause them to be published in

a local newspaper or in one commonly circulated in the district.

Amend paragraph I of section 3 by striking out said paragraph and inserting in place thereof the following: I. Any meeting held for the purpose of organizing a cooperative school district shall be called to order by a qualified voter of the proposed cooperative school district, designated by the board for the purpose. The first order of business shall be the election by a plurality vote of a moderator and of a clerk pro-tem by ballot, who shall be qualified voters of the proposed district. The affirmative vote of a majority of the qualified voters present and voting shall be required on the adoption of the following resolution: "Resolved that cooperative school district . . . . (add designation) be organized to provide for the educational needs and services of . . . . (add one of the following: (a) all elementary school children, (b) all secondary school youth, (c) all elementary and secondary school children) and that its establishment be effective as of . . . ." The adoption of this resolution shall be by ballot. During the period from the date of the vote of the organization of the cooperative school district to its official establishment the new cooperative school district shall have all the authority and privileges of a regular school district for bonding purposes, for the construction of school facilities and for such other necessary functions to obtain proper facilities for the provision of a complete program of education. When necessary the school board of the cooperative school district is authorized to prepare a budget and call a special meeting of the voters of the district for the purpose of adopting the budget and to determine the financial appropriation. If the resolution to form the cooperative school district of this section is adopted, then the voters shall proceed to organize in accordance with the provisions of this chapter. If at any such meeting the resolutions regarding the formation of a cooperative school district shall be presented and shall not be adopted, there shall be no further proceedings at such meeting, except a motion to reconsider the question, and no such meeting shall again be called within six months thereafter. If no meeting shall be called to reconsider the question within two years thereafter or if at any such meeting thereafter called the resolution shall again fail of adoption, the order of the board to which the resolution relates shall be deemed null and void and of no further force or effect. The meeting may be

adjourned from time to time by a majority vote of the qualified voters present but no such adjournment shall be for a longer period than ten days. A copy of the minutes of the meeting or meetings duly certified by the clerk shall be filed by him with the board, with each union superintendent in whose jurisdiction such school district, or any part thereof, is then or thereafter-located, and with the town clerk of each town in which any part of said school district is then or thereafter located.

Amend pararaph IV in said section 3 by striking out said paragraph and inserting in place thereof the following: IV. The Interim Committee shall include in the organization warrant an article calling for an appropriation for the operation of the proposed cooperative district during the first year and such other items of business as need to be acted upon at the organization meeting.

Amend section 5 of the bill by striking out said section and inserting in place thereof the following: 5. *Powers of the District to Borrow Money for Capital Improvements.* Amend paragraphs II of section 6 of chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951, by striking out said paragraph and inserting in place thereof the following: II. Each cooperative school district shall have the power to borrow money and issue its notes or bonds in conformity with the provisions of chapter 72 of the Revised Laws, "municipal bonds statute", provided however that no cooperative school district shall incur debt to an amount exceeding five per cent of the total aggregate assessed valuation of such cooperative school district. Permission to exceed this limit, but not in excess of eight per cent may be secured from a board of investibation as set up under the provisions of chapter 5, Laws of 1951, as amended by chapter 9, Laws of 1953.

Amend section 6 of the bill by striking out said section and inserting in place thereof the following: 6. *Local Districts.* Amend paragraph III of section 6 of chapter 199, Laws of 1947, as inserted by chapter 231, Laws of 1951, by striking out said paragraph and inserting in place thereof the following: III. Whenever only a part of the educational system of a local school district is incorporated into a cooperative school district, such local district shall continue in existence and function as previously, and the cooperative school district shall assume only those outstanding debts and obligations of the local dis-

trict which pertain to the property acquired by the cooperative school district for use by the cooperative school district and in such case no cooperative school district shall incur debt to any amount exceeding three per cent of the total aggregate assessed valutaion of such cooperative school district for elementary not exceeding four per cent for secondary school. Permission to exceed this limit but not in excess of five per cent may be secured from a board of investigation as set up under the provisions of chapter 5, Laws of 1951, as amended by chapter 9, Laws of 1953. However, in no case shall the total debt incurred for school purposes by a local district for its own or that part of the debt of a cooperative school district for which it may be liable exceed eight per cent of the last assessed valuation of said local district.

The report was accepted and the amendment was laid upon the table to be printed under rule 48.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 137, An Act relative to the taking of clams. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 277, An Act to further regulate the taking of oysters. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Kearns of Manchester moved that the words "inexpedient to legislate" be substituted for the report of the committee, ought to pass.

The question being on the motion to substitute.

(Discussion Ensued)

Messrs. Kearns of Manchester, and Scamman of Stratham spoke in favor of the motion.

Messrs. Washburn of Bartlett, Locke of Dover, and Brown of Loudon, and Mrs. Richards of Exeter spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail and the bill was ordered to a third reading.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 280, An Act to provide a bounty for the taking of green crabs. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 40, An Act relative to providing for one open season for taking deer for the entire state. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out the title and inserting in place thereof the following:

An Act relative to the keeping of live wild animals for exhibition to the public.

Amend section 1 of the bill by striking out said section and in serting in place thereof the following: 1. *Exhibiting Wild Animals.* Amend chapter 249 of the Revised Laws by inserting after section 3 the following new section to read as follows: 3-a. *Enclosures and Cages.* No person shall exhibit live wild animals to the public unless the enclosures or cages in which the same are kept are of such construction and design as to prevent accidental contact between such animals and the public, nor until the director of fish and game or his agent shall have approved in writing the design and construction of such enclosures or cages.

Further amend said bill by striking out section 2 and by renumbering section 3 to read section 2.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 362, An Act relative to transporting deer over state lines. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lamson of New London for the Committee on Insurance to whom was referred Senate Bill No. 63, An Act repealing certain limitations on time of payment of fire insurance losses. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of the bill by striking out said title and inserting in place thereof the following:

An Act relating to time of payment of loss or damage by fire.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Loss or Damage by Fire.* Amend section 11 of chapter 326 of the Revised Laws by striking out the word "forty-five" in the second line and inserting in place thereof the word, ten, so that said section as amended shall read as follows: 11. *Time of Payment.* No fire insurance company shall pay any loss or damage by fire until after the expiration of ten days from the date when notice of loss is given, if the aggregate loss under policies covering the risk exceeds one hundred dollars.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Lamson of New London for the Committee on Insurance to whom was referred House Bill No. 383, An Act relative to registration of motor vehicles owned by minors. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Wadleigh of Milford for the Committee on Judiciary to whom was referred House Bill No. 2, An Act providing for the filling of vacancies in the office of United States senator. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Wadleigh of Milford for the Committee on Judiciary to whom was referred House Bill No. 160, An Act to provide for the filling of vacancies in the office of United States senator by special election. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Holden of Hanover for the Committee on Judiciary to whom was referred House Bill No. 227, An Act relative to residential requirements and registration of voters. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 6 of said bill by striking out the words "on the fourth day" in the fourth line and inserting in place thereof the words, not later than the Friday,; and by striking out the words "within fifteen days" in the eleventh line and inserting in place thereof the words, not later than the second Friday, so that said section as amended shall read as follows:

6. *Publication of Campaign Receipts.* Amend section 20 of chapter 42 of the Revised Laws by striking out said section and inserting in place thereof the following: 20. *Statement by State Committee.* The state committee of every political party shall file, not later than the Friday preceding the election before the close of the business day with the secretary of state, and also publish in two daily newspapers in this state, an itemized statement, signed and sworn to by its chairman and treasurer, showing in detail all its receipts with the names of the persons by whom they were contributed and respective amounts thereof, and the names of the persons, corporations or committees to whom they were paid, with the specific nature and amount of each expenditure. Not later than the second Friday after said election another itemized statement, signed and sworn to by the same officers, shall be likewise filed and published, covering in like manner all receipts and expenditures subsequent to the first statement.

Further amend said bill by inserting after section 6 the following new sections:

7. *Other Committees.* Amend section 23 of chapter 42 of the Revised Laws by striking out said section and inserting in place thereof the following: 23. *Other Committees.* Every other political committee shall, not later than the second Friday after the election, file with the secretary of state and with the town or city clerk for the town or city where the treasurer resides a like itemized statement, signed and sworn to by the chairman and treasurer. Where the amount does not exceed one hundred dollars, a statement to that effect, signed and sworn to by the chairman and treasurer, shall be filed in like manner.

8. *Other Candidates.* Amend section 24 of chapter 42 of the Revised Laws by striking out the words "within fifteen days" in the fourth line and inserting in place thereof the words, not later than the second Friday, so that said section as amended shall read as follows: 24. *Other candidates.* Every candidate at the primary or general election for councilor, state senator, County officer, or repreesntative to the general court, who has expended a sum in excess of twenty-five dollars, shall, not later than the second Friday after said primary or general election, file with the secretary of state, and with the town or city clerk for the town or city in which he resides, a like itemized sworn statement of all his receipts and expenditures in aid of his nomination or election. All such statements shall be open to public inspection.

9. *Filing Date.* Amend section 25 of chapter 42 of the Revised Laws by striking out said section and inserting in place thereof the following: 25. *Paid Agents.* Every person who shall perform any service as political agent for any candidate during any primary campaign, who is to receive compensation above traveling expenses, shall, before he enters upon the performance of his duties as political agent, register his intention so to do with the secretary of state upon blanks to be furnished by the secretary of state for that purpose. Not later than the Friday preceding the primary and also not later than the second Friday after the primary in which said agent shall be employed, he shall file with the secretary of state an itemized statement, signed and sworn to by himself, of all money or things of value received by him or due to him from any candidate or committee in connection with his service, and disclose in the pre-primary return the substantial provisions of all contracts he may have for the rendering of future

service in the campaign. No contract for service as political agent in connection with any primary shall be made by any person as such agent within a period of ten days next preceding said primary.

10. *Penalties.* Amend section 27 of chapter 42 of the Revised Laws by striking out the words "fifth day of October" in the sixth line and inserting in place thereof the words, second Tuesday, so that said section as amended shall read as follows: 27. *Penalties.* Any person who violates the foregoing provisions of this subdivision shall be fined not more than five hundred nor less than one hundred dollars and imprisoned not less than thirty nor more than ninety days. Any person who alleges that any of the foregoing provisions of this subdivision relating to the primary has been violated may, not later than the second Tuesday following said primary, bring a proceeding in equity in the supreme court against the person alleged to have violated said provisions. To this proceeding the secretary of state shall be made a party defendant. The supreme court shall forthwith hear such proceeding and make final decision thereof, and if the court shall find that the defendant has violated any of such provisions, a degree shall be entered disqualifying the defendant from becoming a candidate at the ensuing election, and the vacancy thereby created shall be filled as provided by law. No candidate shall be entitled to the nomination or election until the sworn itemized statements required to be filed by him or in his behalf have been filed and published as hereinbefore required.

Further amend said bill by striking out section 7; and by renumbering section 8 to read section 11.

The report was accepted.

On motion of Mr. Wells of Newton the rules were suspended to dispense with the reading of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mrs. Funkhouser of Durham for the Committee on Resources, Recreation and Development to whom was referred House Bill No. 79, An Act relative to registration of saw mills. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Barney of Rumney for the Committee on Resources, Recreation and Development to whom was referred House Bill No. 412, An Act relative to weather modifications. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Funkhouser of Durham for the Committee on Resources, Recreation and Development to whom was referred Senate Joint Resolution No. 3, Joint Resolution relating to a survey and study of utilizing abandoned roads. Having considered the same, reported the same with the recommendation that the Joint Resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Whittier of Bethlehem for the Committee on Transportation to whom was referred Senate Bill No. 66, An Act relating to registration of motor vehicles. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 3 of the bill by striking out the words "upon its passage" and inserting in place thereof the word and figures, April 1, 1954, so that said section as amended shall read as follows:

3. *Takes Effect.* This act shall take effect April 1, 1954.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Whittier of Bethlehem for the Committee on Transportation to whom was referred House Bill No. 369, An Act relative to applications for motor vehicle road toll refunds. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Whittier of Bethlehem for the Committee on Trans-

portation to whom was referred Senate Bill No. 52, An Act relating to the operation of motor vehicles. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of the bill by inserting after the word "to" the words, motor vehicle licenses and, so that said title as amended shall read as follows:

An Act relating to motor vehicles licenses and the operation of motor vehicles.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Emergency Vehicles.* Amend chapter 119 of the Revised Laws by adding after section 20 the following new section: 20-a. *Equipment.* It shall be unlawful for any motor vehicle to be operated on the ways of the state equipped with a red light on the front thereof or red beacon on the roof thereof. This provision shall not apply to vehicles of law enforcement officers, forestry departments, fire departments, volunteer members of fire departments, state, city or town highway or public works departments, public utilities, wreckers, or public or private ambulances.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2. *Motor Vehicle Licenses.* Amend section 5 of chapter 85, Laws of 1953, by striking out said section and inserting in place thereof the following; 5. *Takes Effect.* This act shall take effect January 1, 1954, provided that licenses in effect as of said date shall expire in accordance with the provisions of law in force prior to the passage of this act, unless sooner revoked or suspended.

Further amend the bill by striking out section 3.

Amend section 4 by renumbering to read section 3.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolutions:

Concurrent Resolution, with reference to application for a television station on Mount Washington.

Concurrent Resolution relative to two channels reserved for Educational Television for Durham and Hanover.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

House Bill No. 118, An Act relative to pari mutuel pools at race meets.

House Bill No. 140, An Act entitled uniform act on blood tests to determine paternity.

House Bill No. 321, An Act relative to disposition of certain fines collected by municipal courts.

House Joint Resolution No. 38, Joint Resolution providing for abatement of river bank erosion.

House Joint Resolution No. 41, Joint Resolution in favor of Lawrence A. White.

The message further announced that:

The Senate refused to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 119, An Act relating to the operation of motor boats and outboard motors.

The message also announced that:

The Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 10, An Act relating to utility rates in effect under bond.

Senate Bill Read and Referred

Senate Bill No. 10, An Act relating to utility rates in effect under bond.

Read a first and second time and referred to the Committee on Judiciary.

Resolution

Mr. Colburn of Nashua offered the following resolution:

Whereas, today, April 23, is the birthday of George S.

Pappagianis, Representative from Nashua, therefore be it

Resolved, that we extend to our fellow member our congratulations on this occasion and our best wishes for a happy birthday today and for many more to come.

On a *viva voce* vote the resolution was adopted.

Mr. Healy of Manchester, Ward 6 offered the following resolution:

Whereas, Miss Margaret Leatham, Assistant Principal of the Lincoln Grammar School of Manchester is present in the House today with her pupils, and

Whereas, Miss Leatham has taught for forty years at the Lincoln School in Manchester, and

Whereas, Miss Leatham's long and devoted service to the teaching of the children of our State exemplifies the careers of the many men and women that have given unselfishly of their time in our Schools, therefore be it

Resolved, that the House of Representatives extend a vote of appreciation in tribute to Miss Leatham for her many years of service and to the men and women who have devoted their time to the teaching of the children of our state; and be it further

Resolved, that a copy of these resolutions be forwarded to Miss Leatham of Manchester.

On a *viva voce* vote the resolution was adopted.

Mr. Pillsbury of Manchester offered the following resolution:

Whereas, tomorrow, Friday, April 24, is the birthday of Arthur W. McDaniel, Representative from Nottingham, and Warren F. Metcalf, Representative from Tilton, therefore be it

Resolved, that we extend to our fellow members our congratulations and our best wishes for happy birthdays now and for many years to come.

On a *viva voce* vote the resolution was adopted.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles and joint resolu-

tion by their captions only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

Third Readings

House Bill No. 40, An Act relative to the keeping of wild animals for exhibition to the public.

House Bill No. 137, An Act relative to the taking of clams.

House Bill No. 227, An Act relative to residential requirements and registration of voters.

House Bill No. 277, An Act to further regulate the taking of oysters.

House Bill No. 412, An Act relative to weather modifications.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 52, An Act relating to motor vehicle licenses and the operation of motor vehicles.

Senate Bill No. 63, An Act relating to time of payment of loss or damage by fire.

Senate Bill No. 66, An Act relating to registration of motor vehicles.

Severally read a third time and passed and sent to the Senate for concurrence in the amendments.

Senate Joint Resolution No. 3, Joint Resolution relating to a survey and study of utilizing abandoned roads.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Mahoney of Concord at 12:30 o'clock the House adjourned.

TUESDAY, APRIL 28, 1953

The House met according to adjournment.

Prayer was offered by Guest Chaplin Rev. Lyman V. Rutledge, Minister, The Community Church, Dublin.

Almighty and most merciful God, who dost preside over the destiny of men and of nations, grant us wisdom as we this day turn to the labors that await us. May the laws here enacted

to govern this great people be a lamp unto their feet, not a burden to their backs. May justice and equity shine from every word spoken here, and may all our deliberations lead to the common good, to prosperity and to peace.

In grateful humility we bow before Thee. Our hearts burn with devotion as we remember our friends and brothers, our husbands and sons who have given their lives, and those at home and in foreign fields now engaged in mortal combat to save our homes and our country from destruction by a ruthless foe, and win for us a higher destiny. May Thy blessing rest upon them and their loved ones, and upon those in every nation who serve with faithful hands and loyal hearts.

Amen

Leaves of Absence

Mr. Haley of Keene and Mesdames Saltmarsh of Concord, and Studley of Rochester were granted leave of absence for the day on account of illness.

Mr. Jordan of Plainfield was granted an indefinite leave of absence on account of illness.

Mr. Thompson of Winchester was granted leave of absence for the day on account of attending a funeral.

Mr. Holden of Newington was granted leave of absence for the day on account of important business.

Report of Committee on Engrossed Bills

Mr. Hyde of Andover for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Bill:

House Bill No. 436 An Act legalizing the annual meeting of Lebanon Water Works.

The report was accepted.

Committee Reports

Mr. Pillsbury of Manchester for the Committee on Appropriations to whom was referred House Joint Resolution No. 30, Joint Resolution in favor of Reta May Mills. Having considered the same, reported the same with the following amendment, and the recommendation that the Joint Resolution as amended ought to pass.

Amend the joint resolution by striking out the figures "$5,000" in the first line and inserting in place thereof the

figures, $3,900, so that said resolution as amended shall read as follows:

That the sum of $3,900 is hereby appropriated to compensate Reta May Mills of Dunbarton, New Hampshire, for permanent physical injuries including compound fractures, for severe pain and suffering, and bed confinement over a period of several months, and for expenses of hospital, medical and nursing care in connection therewith, caused by a fall from defectively marked and maintained culvert header on Route No. 11, a state highway, in the town of Andover, New Hampshire, in July, 1952. The said sum shall be in full settlement of said claim. The governor is authorized to draw his warrant for said sum and the same shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 278, An Act relative to the restoration of the clam fisheries in New Hampshire. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Clams.* Amend section 63 of chapter 245 of the Revised Laws as amended by chapter 124 of the Laws of 1943, and by chapter 132 of the Laws of 1945, and by chapter 214 of the Laws of 1951, by striking out said section and inserting in place thereof the following: 63. *Clams; Regulations; Closed Season; Licenses and Permits; Advisory Committee.* The taking of clams within the public waters or flats of New Hampshire is forbidden for the further period of four years from September 1, 1953, provided, however, that temporary or permanent residents of this state licensed by the fish and game commission shall be permitted to dig one peck of clams per day for personal use but not for commercial use in the following places only: Blackwater River, Mill River, Brown's River, Taylor River, Tidewater Mills, Great Bay, Piscataqua River, Rye Harbor, Little Harbor, Sagamore Creek, and any other rivers, creeks or flats not tributary to the Hampton River, said residents to be permitted to dig clams in the aforesaid

places by the use of clam-digging forks; and provided further that these restrictions shall not apply to the fish and game commission or its authorized representatives in conducting their experimental work. No clams under two and one-half inches shall be taken from said places. Upon the expiration of said period of four years, the fish and game commission shall establish regulations for the taking of clams, defining daily bag limits and providing for protection of clams during the spawning season. The commission shall require annual licenses and permits for the taking of clams and shall charge a fee of two dollars for each such license. Locke's Point, Eastman Slough, and the flats to the eastward thereof up to Hobbs Point at the junction of Taylor River and Nudd's Canal are hereby established as an area for the purpose of the development and propagation of clams, and clam experimentation and research, by or under the direction of the fish and game commission. The director may authorize town or city clerks to issue clam licenses for a fee of two dollars, twenty cents of each fee to be retained by said clerk. The governor with the advice and consent of the council shall appoint an advisory committee of three persons from the sea-coast region, to recommend programs and policies regarding shore fisheries to the fish and game commission. The advisory committee shall study and recommend the advisability and method for financing a division of coastal fisheries within the fish and game department, together with a study of the desirability of establishment of a state coastal fisheries research station at Hampton Harbor.

The report was accepted.

On motion of Mr. Washburn of Bartlett the rules were so far suspended as to dispense with the reading of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 346, An Act relative to fees for stamping beaver skins. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Beaver Skins.* Amend section 9 of chapter 244 of the Revised Laws by striking out the word, "two" in the fifth line and inserting in place thereof the words, one dollar, so that said section as amended shall read as follows: 9. *Stamping; Sale of Skins.* Whenever a person shall lawfully take beaver during the open season as provided in sections 6 and 8 he shall present the skin of such beaver, within ten days from the closing of said open season, to a conservation officer who shall stamp the same upon the receipt of a fee of one dollar. Beaver skins lawfully taken and stamped may be bought and sold.

2. *Repayment of Fees.* Any person who, during the period from January 1, 1953, to April 10, 1953, inclusive, shall have paid the sum of two dollars per skin for the stamping thereof as required prior to the passage of this act, upon application to the director of fish and game and presentation to him of satisfactory evidence of such payment, shall be entitled to receive from the director a refund of the sum of one dollar on account of each such skin. The refunds provided for herein shall be a charge against the fish and game fund.

3. *Trapping Beaver.* Amend section 8 of chapter 244, Revised Laws, as amended by section 2, chapter 46, Laws of 1945, and by section 2, chapter 11, Laws of 1951, by striking ou said section and inserting in place thereof the following: 8. *Trapping.* During said open season any resident of the state holding a trapping license may take and possess beaver by means of traps only, and any resident of the state may take and possess beaver, by means of traps only, without holding a trapping license provided the said traps are set on land of which he is the owner.

4. *Takes Effect.* Sections 1 and 2 of this act shall take effect as of January 1, 1953, and section 3 of this act shall take effect upon the passage hereof.

The report was accepted.

On motion of Mr. Washburn of Bartlett the rules were so far suspended as to dispense with the reading of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred Senate Bill No. 28, An Act rela-

tive to disposition of moneys collected from license fees and fines for taking lobsters and crabs. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to disposition of moneys from special licenses for taking lobsters and crabs, clams or oysters.

Amend said bill by inserting after section 1, the following new section:

2. *Clams; Oysters.* Amend chapter 245, Revised Laws, by inserting at the end thereof the following new section: 66. *Disposition of Revenue.* All moneys collected from licenses and fines for taking of clams or for taking of oysters shall be kept in two separate accounts to be used for the administration of laws relative to clams or laws relative to oysters, respectively. In the enforcement of the provisions relative to taking of clams or oysters the fish and game department shall not expend in any year sums in excess of the amounts collected from said clam or oyster licenses and fines except such sums as may be otherwise appropriated for either of said purposes from general funds.

Further amend said bill by renumbering section 2 to read section 3.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Saidel of Manchester for the Committee on Judiciary to whom was referred House Bill No. 275, An Act providing for a voir dire examination of jurors by attorneys in criminal and civil cases. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Saidel of Manchester for the Committee on Judiciary to whom was referred House Bill No. 287, An Act relative to exemption from trustee process. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. Amend paragraph II of section 21 of chapter 412 of the Revised Laws, as amended by section 1, chapter 30, of the Laws of 1943 by striking out said paragraph and inserting in place thereof the following: II. Wages of the defendant earned before the service of the writ upon the trustee, to the amount of twenty dollars for each week shall be exempt. The employer shall pay said exempted amount to the employee on the usual pay day unless other cause exists prohibiting such payment.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mrs. Cooper of Nashua for the Committee on Judiciary to whom was referred House Bill No. 327, An Act relating to jury trials in the municipal court of Manchester. Having considered the same, reported the same with the recommendation that the bill be referred to the Judicial Council for study and recommendation to the 1955 Session of the Legislature.

The report was accepted, and the recommendation of the Committee adopted.

Mr. Rhodes of Walpole for the Committee on Public Health to whom was referred House Bill No. 302, An Act relative to the requirements for registration for the practice of pharmacy and sale of drugs. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Chase of Dover for the Special Committee consisting of the delegation from the county of Strafford to whom was referred House Bill No. 326, An Act relative to the salaries of the Strafford county commissioners. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Dort of Chesterfield for the Joint Committee on Resources, Recreation and Development and Ways and Means to whom was referred House Bill No. 357, An Act relative to forest conservation and taxation. Having considered the same, reported the same with the following amendment, and the

recommendation that the bill as amended ought to pass.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Study Committee.* There is hereby created an advisory committee on forest conservation consisting of eleven members to be appointed by the governor on the recommendation of the legislative council as soon as reasonably possible after the adjournment of the general court. Said appointments shall be made from a panel of twenty names submitted to the governor by the legislative council. The panel shall consist of members representative of small and large timber land owners, forest products operators, representatives of organized labor and persons experienced in conservation. The committee shall investigate the operation of the Forest Conservation and Taxation Laws of 1949, as amended, and shall recommend changes to insure increased conservation and reduce cost to the state. This report shall be submitted to the legislative council and shall be a part of its biennial report to the 1955 session of the general court. The committee shall have the use of the facilities of the legislative council, of the state tax commission, and of the department of forestry and recreation. These agencies are directed to cooperate with the committee, as well as any other agency, or agencies, of the state whose services and/or advice it may seek. The committee shall hold public hearings in those places wherever it shall be deemed necessary.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

Mr. Perley of Lebanon moved that the bill be laid upon the table and made a Special Order for Tuesday, May 5 at 11:01 o'clock.

The question being on the motion.

(Discussion Ensued)

Messrs. Perley of Lebanon, Nehring of New Durham, Danforth of Manchester and Moore of Bradford spoke in favor of the motion.

Messrs. Griffin of Lincoln and Scamman of Stratham spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Dort of Chesterfield for the Joint Committee on Resources, Recreation and Development and Ways and Means to whom was referred House Bill No. 389, An Act relating to taxation of growing wood and timber, providing for forest conservation and repealing the present timber tax law, so called. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution sent up from the House of Representatives:

House Bill No. 232, An Act relative to Short Falls Cemetery.

House Bill No. 356, An Act relative to reimbursement to towns and cities for land taken by the United States for flood control.

House Bill No. 436, An Act legalizing the Annual Meeting of Lebanon Water Works.

House Joint Resolution No. 46, Joint Resolution in favor of Voyin P. Stoykovich.

The message also announced that:

The Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 58, An Act relative to re-registration of pharmacists.

Senate Bill No. 61, An Act providing for the construction of housing facilities for students and faculty at the University of New Hampshire.

Senate Bill No. 75, An Act relative to rules and regulations of the board of pharmacy.

Senate Bill No. 76, An Act relative to definitions under pure food, drugs and cosmetic law.

Senate Bill No. 86, An Act relating to the transfer of public utility property.

Senate Bill No. 87, An Act authorizing the Penacook and Boscawen Water Precinct to issue notes or bonds for its water system.

Senate Bills Read and Referred

The following bills were severally introduced, read a first and second time, and referred as follows:

Senate Bill No. 58, An Act relative to re-registration of pharmacists. To the Committee on Public Health.

Senate Bill No. 61, An Act providing for the construction of housing facilities for students and faculty at the University of New Hampshire. To the Joint Committee on Appropriations and Education.

Senate Bill No. 75, An Act relative to rules and regulations of the board of pharmacy. To the Committee on Public Health.

Senate Bill No. 76, An Act relative to definitions under pure food, drugs and cosmetic law. To the Committee on Public Health.

Senate Bill No. 86, An Act relating to the transfer of public utility property. To the Committee on Judiciary.

Senate Bill No. 87, An Act authorizing the Penacook and Boscawen water precinct to issue notes or bonds for its water system. To the Committee on Executive Departments and Administration.

Resolution

On motion of Mrs. Lareau of Manchester the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles and joint resolution by their captions only.

Third Readings

House Bill No. 275, An Act providing for a voir dire examination of jurors by attorneys in criminal and civil cases.

House Bill No. 278, An Act relative to the restoration of the clam fisheries in New Hampshire.

House Bill No. 287, An Act relative to exemption from trustee process.

House Bill No. 346, An Act relative to fees for stamping beaver skins.

House Bill No. 357, An Act relative to forest conservation and taxation.

House Joint Resolution No. 30, Joint Resolution in favor of Reta May Mills.

Severally read a third time and passed and sent to the Senate for concurrence.

Reconsideration

Mr. Blake of Swanzey moved that the House reconsider its vote whereby it voted to pass House Bill No. 357, An Act relative to forest conservation and taxation.

On a *viva voce* vote the motion to reconsider did not prevail.

Senate Bill No. 28, An Act relative to disposition of moneys from special licenses for taking lobsters and crabs, clams or oysters.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

On motion of Mrs. Hundley of Portsmouth at 12:40 o'clock the House adjourned.

WEDNESDAY, APRIL 29, 1953

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Almighty God, who seest and understandest us better than we understand ourselves, look down in kindness and mercy upon the people of this land. We hear on every hand strange philosophies; help us to right thinking. In this Legislative Hall amid conflicting opinions, give to each member a desire to do Thy will. In this day when we know there are those in the world, and even in our land, who would destroy our much enjoyed and cherished freedom, baptize us anew with the spirit of patriotism, and imbue us with the spirit of devotion to that freedom. In this day when the hearts of some are made glad by the return of the sick and wounded in Korea, and others saddened by the revelation of inhuman atrocities, we can only pray in the words of another:

"God of grace and God of glory,
On Thy people pour Thy power,
Grant us wisdom, grant us courage
For the facing of this hour."

May these, and the unspoken prayers of our hearts, be found acceptable in Thy sight, O Lord, our strength and our Redeemer. *Amen.*

Leaves of Absence

Mrs. Studley of Rochester was granted leave of absence for the remainder of the week on account of illness.

Mr. Haley of Keene was granted leave of absence for the day on account of illness.

Mr. Flanagan of Dover and Mrs. Hayward of Hanover were granted leave of absence for the day on account of important business.

Mr. Wheeler of Keene was granted leave of absence for the remainder of the week on account of important business.

Introduction of a Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By rules Committee, (Mr. Carr of Orford) House Bill No. 437, An Act relative to the retirement of the federal government from the field of motor fuel taxation. To the Committee on Ways and Means.

Report of Committee on Engrossed Bills

Mrs. Landers of Keene for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Bills, House Joint Resolutions and Senate Joint Resolution:

House Bill No. 140, An Act setting up a uniform act on blood tests to determine paternity.

House Bill No. 232, An Act relative to Short Falls Cemetery Association in the town of Epsom.

House Bill No. 321, An Act relative to disposition of certain fines collected by municipal courts.

House Bill No. 356, An Act relative to reimbursement to towns and cities for land taken by the United States for flood control.

House Bill No. 394, An Act providing primary elections for the City of Keene.

House Joint Resolution No. 46, Joint Resolution in favor of Voyin P. Stoykovich.

Senate Joint Resolution No. 3, Joint Resolution relating to a survey and study of utilizing abandoned roads.

The report was accepted.

Committee Reports

Mr. Mudgett of Conway for the Committee on Judiciary to whom was referred House Joint Resolution No. 36, Joint Resolution providing for taking the sense of the legal voters of the state on the question of calling a constitutional convention. Having considered the same, reported the same with the recommendation that the Joint Resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Brown of Strafford for the Committee on Judiciary to whom was referred House Bill No. 82, An Act relative to the payment of poll taxes. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 3 of said bill by striking out the same and inserting in place theerof the following:

3. *Giving Notice.* Amend Chapter 80 of the Revised Laws by inserting after section 2 the following new section: 2-a. *Notice to Commissioner of Motor Vehicles or Director of Fish and Game.* Before any collector of taxes or his deputy shall notify the commissioner of motor vehicles or the director of the fish and game department that the poll tax of any person is unpaid, the collector or his deputy shall make a demand in person or in writing by registered mail, limited to delivery to addressee only, return receipt requested, from such delinquent taxpayer or the person who is liable therefor. If such person neglects or refuses to pay the tax within fourteen days, the collector may certify under the penalties of perjury upon a form provided by the commissioner of motor vehicles or the director of the fish and game department, containing the name and address of the taxpayer or person liable for payment of the tax and such other information as the commissioner or director may require, that to the best of his knowledge and

belief such tax is unpaid, that demand in person or in writing by registered mail, as aforesaid, has been made and that the taxpayer or person liable for payment of the tax neglects and refuses to pay the same and request the commissioner or director to take such action as may to him seem proper. The receipt of such certification by the commissioner or director shall be sufficient evidence to require the commissioner or director to revoke the registration or license of the person or persons named therein as provided in section 4 of chapter 116 of the Revised Laws, and until such time as evidence of payment of the tax has been furnished the commissioner or director, when the registration or license, or both, may be restored.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Wheeler of Keene for the Committee on Resources, Recreation and Development to whom was referred House Bill No. 154, An Act relating to white pine blister rust. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Smart of Portsmouth for the Special Committee consisting of the delegation from the city of Portsmouth to whom was referred Senate Bill No. 79, An Act relative to the board of adjustment in the city of Portsmouth. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Taken from the Table Under Rule 48

House Bill No. 107, An Act relating to investments of savings banks.

The question being on the amendment, as printed in the Journal of April 23.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

House Bill No. 338, An Act relative to cooperative school districts.

The question being on the amendment as printed in the Journal of April 23.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Ladd of Epping for the Committee on Agriculture to whom was referred House Bill No. 250, An Act relative to the license fees of milk distributors. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass, with the further recommendation that the bill with proposed amendment be submitted to the Supreme Court for determination of the constitutionality thereof.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Milk Control Board.* It shall be the duty of the Milk Control Board to be informed at all times as to the supply, production and quality of milk in the state that the public may be assured of an adequate daily production in the state of a proper quantity and quality. It shall be the duty of the board further to be informed at all times as to the transportation, processing, storage and distribution of milk sold, consumed or used in the state. To the end that no part of the state shall lose or have impaired its reasonable requirements of milk of a proper quality, the board shall have power to supervise, regulate and control the production, distribution and sale of milk within the state. To the end of safeguarding and protecting the public from the harm and economic loss it would sustain if the production of milk was substantially curtailed, the board shall secure the cooperation of those engaged in the industry to maintain fair and lawful trade practices, and through the activities of the New Hampshire Dairy Council Committee, as hereinafter established, assist in such promotional, educational, and advertising activities as may best promote the greater consumption of milk and milk products to the end that such consumption may be encouraged in the interest of public health. The authority herein conferred shall supplement and be in addition to but not in lieu of existing laws relating to transportation of milk, its inspection, testing, the powers of the public utilities commission, the state board of health and local health ordinances and regulations and the requirements of chapters 194 and 195, Revised Laws.

2. *Licenses; Fees.* All distributors, as defined in chapter 196 of the Revised Laws, in any market designated by the Milk Control Board shall be licensed by the board. The annual fee for such license shall be three dollars for distributors selling more than two quarts and not more than twenty quarts daily average, seven dollars and fifty cents for distributors selling more than twenty quarts and not more than fifty quarts, daily, sixteen dollars for distributors selling more than fifty quarts and not more than one hundred quarts daily, thirty dollars for distributors selling more than one hundred quarts and not more than two hundred quarts daily, forty-five dollars for distributors selling more than two hundred quarts and not more than three hundred quarts daily, sixty dollars for distributors selling more than three hundred quarts and not more than four hundred quarts daily, and for each distributor selling more than four hundred quarts daily the fee shall be one dollar plus the sum of two cents per hundred weight as monthly payments based on the quantity of Class I or fluid milk sold for consumption in any New Hampshire market area, and such sum shall be payable to the Milk Control Board as a condition of his license. One cent per hundred weight may be deducted by the distributors from amounts paid by them to producers of such milk. In determining the foregoing fees sales made by a distributor to the public over-the-counter, not for consumption on the premises, shall not be included in determining the hundred weight sold. Such over-the-counter distributor shall pay an annual fee for such licenses of two dollars only. The board may, upon proper evidence, decline to grant and may, after due notice and public hearing, suspend or revoke a license. Violation by a distributor of the provisions hereof or any rule or regulation made hereunder, or conviction of violating the health laws or regulations of the state board of health, shall be sufficient cause to suspend, revoke or withhold such distributor's license. Any distributor who fails to take out a license hereunder shall be subject to the penalties provided for in section 14 of chapter 196 of the Revised Laws. The board may credit any distributor, who has paid license fees under chapter 196 of the Revised Laws as in force at the time of the passage of this act by a proportional amount of the unexpired license at the time this act becomes effective.

3. *Expenditures Authorized.* The Milk Control Board

may pay an amount not exceeding sixty percent of the gross income from licenses received under the provisions of this act to the New Hampshire Dairy Council Committee to be expended under the direction of said committee in disseminating information concerning the use of milk in the interest of public health. At the end of the fiscal year any unexpended funds obtained from either license fees or shall accrue to the credit of the Milk Control Board and shall not lapse into the treasury of the state.

4. *Dairy Council Committee Established.* There is hereby established the New Hampshire Dairy Council Committee which shall consist of five members, as follows: the commissioner of agriculture, two producers and two distributors to be appointed by said commissioner. The appointive members shall be chosen from persons recommended by various producer and dealer associations in the state. Each appointive member shall serve during the time this act is in effect or until his successor is appointed and qualified. Said appointive members shall serve without compensation but shall be reimbursed for expenses incurred in performance of their duties hereunder.

5. *Laws Suspended.* During the time this act is in effect the provisions of sections 5 and 6 of chapter 196 of the Revised Laws are hereby suspended.

6. *Takes Effect.* This act shall take effect on January 1, 1954, and shall remain in effect until January 1, 1956, unless further extended by act of the legislature.

The report was accepted.

The question being on the recommendation of the committee.

(Discussion Ensued)

Miss Spollett of Hampstead spoke in favor of the report.

Mrs. Brungot of Berlin spoke against the report.

On a *viva voce* vote the report of the committee was adopted.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted.

Resolution

Miss Spollett of Hampstead offered the following resolution:

Resolved, that the Justices of the Supreme Court be respectfully requested to give their opinion upon the following question of law:

Do the provisions of House Bill No. 250, An Act Relative to the License Fees of Milk Distributors, with amendment as adopted, violate the fundamental law of the state with respect to the determination and collection of license fees and the manner in which such revenues are to be spent:

Further Resolved, that the Speaker transmit a copy of House Bill No. 250, with amendment as adopted to the Clerk of the Supreme Court for consideration by said court.

On a *viva voce* vote the resolution was adopted.

Laid Upon the Table

On motion of Miss Spollett of Hampstead, House Bill No. 250, An Act relative to the license fees of milk distributors was laid upon the table.

Senate Message

A message sent down from the Honorable Senate by its Clerk announced that:

The Senate had voted to concur with the House of Representatives in its amendments to the following entitled bills:

Senate Bill No. 52, An Act relating to the operation of motor vehicles.

Senate Bill No. 63, An Act repealing certain limitations on time of payment of fire insurance losses.

Senate Bill No. 66, An Act relating to registration of motor vehicles.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 55, An Act relating to the taking of deer.

House Bill No. 208, An Act relative to filling vacancies in office of councilman of the city of Portsmouth.

House Bill No. 209, An Act relative to compensation of councilmen of the city of Portsmouth.

House Bill No. 293, An Act relative to the North Church in Portsmouth.

House Bill No. 294, An Act relative to the first or north parish in Portsmouth.

The message further announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 318, An Act relative to motor vehicle operator's licenses held by military personnel.

Amend the bill by striking out all after the enacting clause and substituting in place thereof the following:

1. Amend section 2 of chapter 97, Laws of 1951, by adding at the end thereof the following new sentence: The privileges of this section shall remain in effect for a period of thirty days after the discharge or release from active duty.

2. Amend section 4 of chapter 97, of the Laws of 1951, by striking out said section and inserting in place thereof the following: 4. *Takes Effect.* The provisions of sections 1 and 2 shall be effective forthwith and shall apply in all its provisions to those members of the armed forces now on active duty and to all persons inducted or called on active duty hereafter and shall remain in effect until the termination of the Korean conflict, and provided further that said sections and the remaining sections of this act shall also be effective during a period of armed hostilities as declared by the Congress and President of the United States.

3. *Takes Effect.* This act shall take effect upon its passage.

Mr. Whittier of Bethlehem moved that the House nonconcur in the adoption of the amendment sent down from the Honorable Senate and asked for a committee of conference.

On a *viva voce* vote the motion prevailed and the Speaker appointed as members of such committee on the part of the House Messrs. Whittier of Bethlehem, Wormhood of Madbury, and Robinson of Gorham.

The message also announced that:

The Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 88, An Act relative to fishing in upper Connecticut River.

Senate Bill Read and Referred

Senate Bill No. 88, An Act relative to fishing in upper Connecticut River.

Read a first and second time and referred to the Committee on Fish and Game.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles and joint resolution by their captions only.

Third Readings

House Bill No. 82, An Act relative to the payment of poll taxes.

House Bill No. 107, An Act relating to investments of savings banks.

House Bill No. 338, An Act relative to cooperative school districts.

House Joint Resolution No. 36, Joint Resolution providing for taking the sense of the legal voters of the state on the question of calling a constitutional convention.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 79, An Act relative to the board of adjustment in the city of Portsmouth.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Millar of Claremont at 11:56 o'clock the House adjourned.

THURSDAY, APRIL 30, 1953

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Almighty God, our Heavenly Father, who dost guide and govern the minds and hearts of men and women, make us deeply conscious of Thy presence in our midst as again we meet to take counsel together concerning the work Thou hast committed to our care. May Thine especial blessing rest upon the members of this Senate and House, the Governor and Council and all others who serve this state in an official capacity. Remind them always that:

"A time like this demands
Strong minds, great hearts, true faith and ready hands;
Men whom the lust of office does not kill;
Men whom the spoils of office cannot buy;
Tall men, sun-crowned, who live above the fog
In public duty and in private thinking."

O God, our Leader, give us this type of manhood in every phase of our American life — whether it be political, industrial, educational or religious. We ask it in the name of Christ. *Amen*

Leaves of Absence

Messrs. Chase of Dover and Gale of Jackson were granted leave of absence for the day on account of important business.

Introduction of a Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Rules Committee (Mr. Pillsbury of Manchester) House Bill No. 438, An Act relating to the appropriation for the Timber Tax Reimbursement Fund. To the Committee on Appropriations.

Report of Committee on Engrossed Bills

Mrs. Hundley of Portsmouth for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Bills:

House Bill No. 55, An Act relating to the taking of deer.

House Bill No. 208, An Act relative to filling vacancies in the office of councilman of the city of Portsmouth.

House Bill No. 209, An Act relative to compensation of councilmen of the City of Portsmouth.

House Bill No. 293, An Act relative to the North Church in Portsmouth.

House Bill No. 294, An Act relative to the first or north parish in Portsmouth.

The report was accepted.

Committee Reports

Mr. McDaniel of Nottingham for the Committee on Appropriations to whom was referred House Bill No. 324, An Act relative to benefits under the teachers' retirement system. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 of the bill by striking out the word "line" in the third line and inserting in place thereof the words, and twelfth lines, and by striking out the words "one-eighth" in the thirteenth line and inserting in place thereof the words, two-sevenths, so that said section as amended shall read as follows:

2. *Disability Benefits.* Amend subsection (b) of paragraph II of section 6 of chapter 136-B, Revised Laws, as inserted by chapter 6, Laws of 1950, by striking out the word "one-eighth" in the seventh line and inserting in place thereof the word, two sevenths, so that said subsection as amended shall read as follows: (b) A state annuity which, together with his teacher annuity, shall be equal to ninety per cent of the service retirement allowance that would be payable on the basis of his average final compensation and creditable service at the time of his disability retirement if such retirement allowance exceeds twenty-five per cent of his average final compensation reduced by one and two-sevenths per cent per year for any years of service that would be creditable upon completion of contributions under section 12, paragraph I (d), hereof; otherwise, a state annuity which, together with his teacher annuity, shall be equal to twenty-five per cent of his average final compensation less one and two-sevenths per cent per year for any years of service that would be creditable upon completion of contributions under said section 12, paragraph I (d), but such allowance shall not exceed ninety percent of the service retirement allowance that would be payable to

him if he continued in service to age sixty without change in his average final compensation and without making any further contributions under said section 12, Paragraph I (d).

Amend section 3 by adding after the word "service" in the fourteenth line the words, as a member, so that said section as amended shall read as follows:

3. *Disability Beneficiary.* Amend section 7 of chapter 136-B, Revised Laws, as inserted by chapter 6, Laws of 1950, by striking out said section and inserting in place thereof the following. 7. *Restoration to Service.* If a disability beneficiary is restored to service and if his annual earnable compensation then, or at any time thereafter, is equal to or greater than his average final compensation at retirement, or if any other beneficiary is restored to service, his retirement allowance shall cease, he shall again become a member of the retirement system and he shall contribute thereafter at the rate payable with respect to the same age which determined the rate paid prior to his retirement. Anything herein to the contrary notwithstanding, any credit for membership service and for any prior service on the basis of which his creditable service was computed at the time of his former retirement shall be restored to full force and effect; but if he is restored to membership after the attainment of age fifty, upon subsequent retirement he shall receive a retirement allowance based on his service as a member since his last restoration to membership, plus a retirement allowance equal to the retirement allowance to which he was entitled at the time of such restoration, except that the total retirement allowance upon subsequent retirement shall not be a greater proportion of his average final compensation than the proportion to which he would have been entitled had he remained in service during the period of his prior retirement.

The report was accepted.

On motion of Mr. McMeekin of Haverhill reading of the the amendment was dispensed with.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Davis of Hopkinton for the Committee on Appropriations to whom was referred House Bill No. 429, An Act abolishing the so-called sinking fund and relative to state financing. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Scamman of Stratham for the Committee on Appropriations to whom was referred House Bill No. 431, An Act relating to the appropriations for Timber Tax Reimbursement Fund. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. McDaniel of Nottingham for the Committee on Appropriations to whom was referred House Joint Resolution No. 48, Joint Resolution in favor of Harold E. and Mary F. Wentworth. Having considered the same, reported the same with the recommendation that the Joint Resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Hadley of Hillsborough for the Committee on Executive Departments and Administration to whom was referred House Bill No. 225, An Act to amend the charter of New Ipswich Academy relative to the board of trustees. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Miss Horner of Thornton for the Committee on Executive Departments and Administration to whom was referred House Bill No. 248, An Act relative to filing in registry office of evidence of highway taking. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Metcalf of Tilton for the Joint Committee on Fish and Game and Military and Veteran's Affairs to whom was referred House Bill No. 352, An Act relative to patients at Veterans hospitals fishing without a license. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by inserting after section 1 the following new sections:

2. *Carp.* Amend the definition of fish in section 1, chapter 241, Revised Laws, by inserting after the word "minnow" in the sixth line the word, carp, so that said definition as amended shall read as follows: Fish: Charr, commonly called brook trout; all species of trout, including lake trout, and the salmon family; muscallonge; pickerel, including the great northern pike, pond pickerel, grass pickerel, chain pickerel or banded pickerel; pike perch, including wall-eyed pike or yellow pike; white perch; yellow perch; black bass, including Oswego or large-mouthed bass, and small-mouthed bass; horned pout; shad; cusk; minnow; carp; and smelt.

3. *Authority to Take.* Carp may be taken and possessed from Mascoma lake by the use of long bow and arrow with cord attached. The provisions of Title XX of th eRevised Laws shall be applicable to the taking of carp except as may be inconsistent herewith.

Further amend said bill by renumbering section 2 to read section 4.

Amend the title of the bill by adding at the end thereof the words, and to the taking of carp.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mrs. Atkins of Hanover for the Committee on Judiciary to whom was referred House Bill No. 144, An Act to provide for liens in favor of hospitals and other institutions. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Entitled to Lien.* Every individual, partnership, firm, association, corporation, institution or any governmental unit or combination or parts thereof maintaining and operating a hospital licensed in the state which shall furnish medical or other service to any patient injured by reason of an accident not covered by the Workmen's Compensation Act, shall, if such injured party assert or maintain a claim against another for damages on account of such injuries, have a lien upon that part going or belonging to such patient, or to the person responsible for the payment of such patient's bills, of any recovery or sum had or collected or to be collected by such

patient or by the person responsible for the payment of such patient's bills, or by his heirs or personal representatives in the case of his death, whether by judgment or by settlement or compromise to the amount of the reasonable and necessary charges of such hospital for the treatment, care and maintenance of such patient in such hospital up to the date of payment of such damages, provided that if such payment is made during such care, treatment or maintenance and before such lien claimant has perfected such lien as herein provided no release of such causes of action or of any of them, or of any judgment thereon shall be valid or effectual as against such lien claimant unless such lien claimant or its attorneys or assigns shall join therein or execute a release thereof.

2. *Notice of Lien.* No such lien shall be effective unless a written notice containing the name and address of the injured person, the date of the accident, the name and location of the hospital and the name of the person, firm or corporation alleged to be liable to the injured party for the injuries received, shall be filed with the clerk of the town or city in which such hospital is located not later than ten days after the patient has been discharged from the hospital; nor unless the hospital shall mail by registered mail, return receipt requested, a copy of such notice with a statement of the date of filing hereof to (1) the person, firm or corporatoin alleged to be liable to the injured party for the injuries sustained and (2) to any insurance carrier which has insured such person, firm or corporation against such liability, if the name and address shall be known.

3. *Duration of Lien.* Any person, firm or corporation, including an insurance carrier, making any payment to such patient or to his attorneys or heirs or legal representatives, or to any other person as compensation for the injury sustained after the filing and mailing of such notice without paying to such hospital the amount of its lien or so much thereof as can be satisfied out of the moneys due under any final judgment, or compromise or settlement agreement after paying the amount of any prior liens shall for a period of one year from the date of payment to such patient or his heirs, attorneys or legal representatives, or other person, as aforesaid, be and remain liable to such hospital for the amount which such hospital was entitled to receive as aforesaid; and any such association, corporation or other institution maintaining such

hospital may, within such period, enforce its lien by a suit at law against such person, firm or corporation making any such payment. Reasonable attorneys' fees and disbursements shall constitute a first lien.

4. *Record.* The clerk of the town or city as heretofore indicated shall at the expense of the town or city provide a properly indexed and otherwise suitable hospital lien book or card filing system in which he shall enter the date and hour of such filing, the name and address of the injured person, the name of the person, firm or corporation alleged to be liable for the injuries, the date of the accident and the name of the hospital making the claim. Said clerk shall be paid a fee of fifty cents by the lien claimant for such filing.

5. *Takes Effect.* This act shall take effect July 1, 1953.

The undersigned, a Minority of the Committee on Judiciary to whom was referred House Bill No. 144, An Act to provide for liens in favor of hospitals and other institutions. Having considered the same, and being unable to agree with the majority, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

DANIEL J. HEALY,
A Minority of the Committee

The reports were accepted, and the amendment laid upon the table under rule 48.

Mr. Saidel of Manchester for the Committee on Judiciary to whom was referred House Bill No. 334, An Act relating to reference of prior convictions. Having considered the same reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words "or require proof thereof" in the fifth line, so that said section as amended shall read as follows:

1. *Complaint, Indictment, Information.* Amend chapter 427 of the Revised Laws by inserting after section 12 the following new section: 12-a. *Prohibition.* No complaint, indictment, or information brought in criminal cases upon which there is a jury trial, shall refer to prior conviction.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Saidel of Manchester for the Committee on Judiciary

to whom was referred House Bill No. 311, An Act relating to the statute of limitations as to prior convictions. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the word "three" in the fifth line and inserting in place thereof the word, five, and further amend said section by striking out the word "six" in the fifth line and inserting in place thereof the word, ten, so that said section as amended shall read as follows:

1. *Prior Convictions, Use of Record.* Amend chapter 392 of the Revised Laws by inserting after section 35 the following new section: 36. *Prior Convictions.* No record of a prior conviction shall be used to discredit a witness or a respondent after the expiration of five years in cases of misdemeanors and after the expiration of ten years in cases of felonies.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Beamis of Somersworth for the Committee on Judiciary to whom was referred House Bill No. 386, An Act relative to the parole of prisoners. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. O'Neil of Manchester for the Committee on Labor to whom was referred Senate Bill No. 18, An Act relative to disability benefits under firemen's retirement system. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Jones of Fremont for the Committee on Labor to whom was referred House Bill No. 243, An Act relative to unemployment compensation, jurors. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fortin of Greenville for the Committee on Labor to whom was referred House Bill No. 309, An Act relative to unemployment compensation for individuals voluntarily retiring to accept the benefits of the federal social security act. Having considered the same, report the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Lareau of Manchester for the Committee on Labor to whom was referred House Bill No. 417, An Act relating to Unemployment Compensation. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Pappagianis of Nashua for the Committee on Municipal and County Government to whom was referred Senate Bill No. 3, An Act relative to required equipment and licensing of bicycles. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the amending clause of section 1 by striking out said clause and inserting in place thereof the following:

Amend section 19 of Part 20, chapter 186 of the Laws of 1945 by striking out said section and inserting in place thereof the following:

Amend the amending clause of section 2 by striking out said clause and inserting in place thereof the following:

Amend section 20 of said Part 20 by striking out said section and inserting in place thereof the following:

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Jewett of Concord for the Committee on Municipal and County Government to whom was referred House Bill No. 424, An Act legalizing certain proceedings at meetings in Newmarket, Hudson, Sanbornton, Pembroke, Rye Water District, Rindge and Barrington. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out said title and inserting in place thereof the following:

An Act legalizing certain proceedings at meetings in Newmarket, Hudson, Sanbornton, Pembroke, Rye, Rindge, Barrington, Stewartstown Village Fire Precinct, and a meeting of the Hillsboro County Convention.

Amend said bill by striking out section 7 and inserting in place thereof the following:

7. *Barrington.* The votes and proceedings at the annual are hereby legalized, ratified and confirmed. The action of the school district in raising and appropriating funds and the issuance of serial bonds or notes for school purposes to the school district meeting in Barrington, held on March 9, 1953, amount of sixty five thousand dollars at said meeting is hereby legalized, ratified and confirmed. The indebtedness of the district provided for at said meeting together with the outstanding indebtedness of said district shall constitute the total authorized indebtedness of said district.

Further amend said bill by inserting after section 7 the following new sections:

8. *Hillsborough County Budget.* The votes and proceedings of the Hillsborough county convention at Goffstown on March 2, 1953, in adopting the budget for said county for the coming biennium is hereby legalized, ratified and confirmed.

9. *Stewartstown Village Fire Precinct.* The vote of the West Stewartstown Fire Precinct taken at the annual meeting on March 31, 1953, terminating the existence of said district as of June 1, 1953, is hereby legalized, ratified and confirmed.

Further amend said bill by renumbering section 8 to read 10.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Kimball of Moultonborough for the Committee on Municipal and County Government to whom was referred Senate Bill No. 68, An Act legalizing the proceedings of the annual school district meeting and the annual town meeting in the town of Freedom held on March 10, 1953. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted the the bill ordered to a third reading.

Mrs. Payette of Portsmouth for the Committee on Municipal and County Government to whom was referred Senate Bill No. 85, An Act legalizing proceedings of town meeting in Croydon. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Roeder of Belmont for the Joint Committee on Public Works and Resources, Recreation and Development to whom was referred House Bill No. 281, An Act relative to the construction of sea walls on state owned land in the town of Hampton. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out section 1 and inserting in place thereof the following: 1. *Authority.* The governor with the advice of the council is hereby authorized and empowered to construct such sea wall or walls or other structures which may be necessary or desirable for seacoast protection from the existing sea wall at North Beach to the mouth of the Hampton River and to undertake in cooperation with the corps of Engineers, U. S. Army, a corrective project to restore damage caused by coastal erosion in the same area. The governor with the advice of the council is further authorized and empowered to construct parking area adjacent to said sea wall or walls or other structures and to coordinate the construction with highway improvement and construction in the area.

Further amend said bill by striking out section 6 and inserting in place thereof the following: 6. *Fund Provided.* A sum not exceeding one million two hundred seventy-five thousand dollars ($1,275,000) is hereby raised as hereinafter provided for the purposes of carrying into effect the provisions of this act. These funds shall not be expended except on a finding by the Governor and Council that federal funds are available for an erosion control project and further that the recreation division of the forestry and receration commission can demonstrate that the state expenditure can be self amortizing. The acceptance by the governor and council of any municipal or private contributions is hereby authorized, under conditions determined to be in the best interest of the state.

The report was accepted, and with the amendment pend-

ing the bill was referred to the Committee on Appropriations under the rules.

Mr. Moore of Bradford for the Joint Committee on Resources, Recreation and Development and Public Works to whom was referred House Bill No. 395, An Act relating to historical markers. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Historical Markers.* Amend chapter 27 of the Revised Laws by inserting after section 43-a, as inserted by chapter 235, Laws of 1949, the following new subdivision:

Historical Markers

43-b. *Committee Established.* There shall be a committee of three members to be known as the Committee on Historical Markers to establish plans for and grant permits for, the erection of signs and markers in such public places, whether along highways or otherwise, as shall be deemed appropriate to mark the sites of events of historical interest. Said committee shall consist of a representative from the department of public works and highways, to be designated by the commissioner of said department, a representative from the planning and development commission, to be designated by said commission, and a member from the New Hampshire Historical Society, to be designated by said society.

43-c. *Permits Issued.* Any person desiring to erect a sign or marker as hereinbefore provided shall make written application to the committee on historical markers for a permit for such erection. Prior to issuance of such permit the committee shall consult with selectmen of the town where the marker or sign is to be erected. Said committee shall also secure approval from the public agency in charge of the public place where the sign or marker is to be erected. Any directional sign from a main highway to historical sites erected under the provisions of this subdivision shall be erected under the supervision of the department of public works and highways. Such directional signs shall be functional and uniform in size and shape and the cost of such signs and erection thereof shall be a charge on highway funds.

43-d. *Designs.* Whenever the committee shall adopt any design for historical marker it may file a record of the same in the office of the secretary of state, which record shall include drawings and written specifications in order fully to describe the design, and when said record shall be so filed, it shall be unlawful for any person, except the committee, to make use of such design for any purpose whatsoever except as hereinafter set forth. When issuing a permit for the erection of a sign or marker the committee shall specify the inscriptions to be placed thereon, which ,in the opinion of the committee shall best describe the events to be commemorated.

43-e. *Penalty.* Whoever shall erect an historical sign or marker upon a public place, without permit from the committee, shall be fined not exceeding twenty-five dollars. Any sign or marker erected contrary to the provision hereof shall be deemed a nuisance and shall be removed through appropriate proceedings brought by the attorney general.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

On motion of Mr. English of Hancock reading of the amendment was dispensed with.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 198, An Act to amend the unified personnel system for the state.

House Bill No. 249, An Act relating to business corporations.

House Bill No. 264, An Act to prevent the feeding of untreated garbage to swine.

House Bill No. 272, An Act relative to increase in exemption of attachable property.

House Bill No. 282, An Act relating to the homestead right.

House Bill No 349, An Act relative to frozen desserts.

The message also announced that:

The Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 28, An Act relative to disposition of moneys collected from license fees and fines for taking lobsters and crabs.

Resolution

Mr. Willey of Campton offered the following resolution:

Whereas, Charles R. Thomas, Representative from Dublin, is ill in the Veterans Hospital in White River Junction, Vermont, therefore be it

Resolved, That we, the Members of the House of Representatives, New Hampshire Legislature, hereby express our sympathy to our fellow member in his illness and our best wishes for a speedy recovery, and be it further

Resolved, That the Clerk of the House transmit to Representative Thomas a copy of these Resolutions.

On a *viva voce* vote the resolution was adopted.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles and joint resolution by its caption only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

Third Readings

House Bill No. 225, An Act to amend the charter of New Ipswich Academy relative to the board of trustees.

House Bill No. 311, An Act relating to the statute of limitations as to prior convictions.

House Bill No. 324, An Act relative to benefits under the teachers' retirement system.

House Bill No. 334, An Act relating to reference of prior convictions.

House Bill No. 352, An Act relative to patients at Veterans hospitals fishing without a license, and to the taking of carp.

House Bill No. 386, An Act relative to the parole of prisoners.

House Bill No. 395, An Act relating to historical markers.

House Bill No. 424, An Act legalizing certain proceedings at meetings in Newmarket, Hudson, Sanbornton, Pembroke, Rye, Rindge, Barrington, Stewartstown village fire precinct, and a meeting of the Hillsboro County Convention.

House Bill No. 428, An Act relative to filing in registry office of evidence of highway taking.

House Bill No. 429, An Act abolishing the so-called sinking fund and relative to state financing.

House Bill No. 431, An Act relating to the appropriation for Timber Tax Reimbursement Fund.

House Joint Resolution No. 48, Joint Resolution in favor of Harold E. and Mary F. Wentworth.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 3, An Act relative to required equipment and licensing of bicycles.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

Senate Bill No. 18, An Act relative to disability benefits under firemen's retirement system.

Senate Bill No. 68, An Act legalizing the proceedings of the annual school district meeting and the annual town meeting in the town of Freedom, held on March 10, 1953.

Senate Bill No. 85, An Act legalizing proceedings of town meeting in Croydon.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Hayes of Northumberland at 12:22 o'clock the House adjourned.

TUESDAY, MAY 5, 1953

The House met according to adjournment.

Prayer was offered by Guest Chaplain Rev. Paul T. Martin, Pastor of The Congregational Church, Exeter.

Almighty God, our Heavenly Father, without whom no good thing begun, continued and ended in us can be brought to perfection; before we begin the labors of this day, grant us the grace to commit ourselves to thee, all that we are in mind and heart and soul. Enlighten our minds that we may know what is right; touch our hearts that we may love what is good; and strengthen our hands that we may perform our duties faithfully and well, as in thy sight, as true servants of the people.

Save us from all indifference and carelessness, from all confusion, bitterness, and every evil way. Defend our liberties, and help us to be a people worthy of a great heritage in freedom, faith and good works. So, then, O Lord, dispose us today, and on all days, earnestly to seek and find ways for serving the public good; and to do so with the humility, the charity, and the reverent mind of Him who is the author and finisher of our faith, even Jesus Christ, thy Son our Lord. *Amen.*

Leaves of Absence

Mesdames Millar of Claremont, and Noyes of Salem and Mr. Lamson of New London were granted leave of absence for the day on account of important business.

Mr. Maxfield of Rochester was granted leave of absence for the day on account of death in the family.

Mr. Hayes of Concord was granted a leave of absence for Tuesday and Wednesday on account of illness in the family.

Mr. Emerson of Dalton was granted a leave of absence for the day because of illness.

Mr. Barton of Keene was granted leave of absence for Tuesday and Wednesday on account of illness in the family.

Introduction of Bills

By Rules Committee (Pillsbury of Manchester), House Bill No. 439, An Act providing for additional appropriations for certain departments and institutions for the fiscal years

ending June 30, 1952 and 1953. To the Committee on Appropriations.

By Rules Committee (Wells of Newton), House Bill No. 440, An Act to repeal charters of certain corporations. To the Committee on Judiciary.

By Rules Committee (Holden of Newington), House Bill No. 441, An Act relating to the enlargement and extension of water works of the city of Portsmouth. To the Committee on Municipal and County Government.

Mr. Attala of Manchester moved that the rules be so far suspended as to allow for the introduction of a joint resolution.

The question being on the motion to suspend the rules.

(Discussion Ensued)

Messrs. Kearns of Manchester, Eldredge of Exeter, and Martel of Manchester and Mrs. Brungot of Berlin spoke in favor of the motion.

Messrs. Pillsbury of Manchester and Rainie of Concord spoke against the motion.

The Speaker called for a division.

A division being had 213 members having voted in the affirmative and 78 members having voted in the negative and less than two-thirds of the elected membership having voted in the affirmative, the motion to suspend the rules did not prevail.

Mr. Youmans of Warner demanded the Yeas and Nays and the roll was called with the following result.

Roll Call

Yeas — 260

MERRIMACK COUNTY: Hyde, Holmes of Boscawen, Flanders, Moore, Vogel, Marden, Dodge, Ferrin, Perkins of Concord, Ward 3, Otis, Lessels, Corbett, Saltmarsh, Bunten, Cilley, Comi, Nawn, Sargent, Nutter, Broadhurst, Burke, Thompson of Franklin, Douphinette, Leonard, Dudevoir, Mulaire, Young, Powell, Youmans.

HILLSBOROUGH COUNTY: Holmes of Amherst, Robinson, Wiggin, Farwell, Jennings, Reed of Goffstown, Fortin, Hadley, Goodwin of Hollis, Spaulding, Warren, Corliss, Lang of Manchester, Saidel, Soucy of Manchester, Ward 1, Geisel, Robb,

Horan, Martel, Sullivan, Fitzgerald, Kean, Nolan, Betley, Healy of Manchester, Ward 5, Hurley, Callahan, Casey, Cavanaugh, Clancy, Healy of Manchester, Ward 6, Ecker, Paradis, Tessier, Constant, Delisle, Genest, Auger, Bergeron, Kearns, O'Neil, McCarthy, Roche, Attalla, Lareau, Soucy of Manchester, Ward 12, Lesmerises, Donnelly, Peaslee of Merrimack, Falconer, Ramsdell, Boire, Temple, Belcourt, Ayers, Brosnahan, Maynard of Nashua, Dionne, Shea of Nashua, Chartrain, Ryan, Dugas, Dutilly, Grandmaison, Janelle, Pelletier, Bouthillier, Dumais, Locke of New Boston, Thompson of New Ipswich, Cummings, Dutton, Barry.

CHESHIRE COUNTY: Burnham, Maynard of Fitzwilliam, Maloney, Smith of Hinsdale, Belletete, Spofford, Haley, Sweeney of Keene, Landers, Wheeler, Bennett, Heald, Codding, Waling, Carlton, Sherwin, Blake, Kershaw, Lang of Troy, Killeen, Billings, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Angus, Converse, Howe, Firestone, Baron, Marcotte of Claremont, Stone, Davis of Cornish, Smith of Langdon, Wirkkala, Perry, Metcalf of Springfield, Gamsby, DeLude.

GRAFTON COUNTY: Gingras, Willey, Peabody, Williams, Ashley, Jones, Fred of Lebanon, Perley, Griffin of Lincoln, Fox, Gardner of Littleton, Martin, Dixon, Carr, Howard, Bell of Plymouth, Loizeaux, Horner, Anderson.

COOS COUNTY: Dussault, Hinchey, Henderson, Brungot, Christiansen, Bouchard, Fontaine, Theriault, Alls, Oakes, Ross, Kimball of Jefferson, Simonds, Swett, Boutain, Hayes, Weeks of Stewartstown, Stinson, Taylor.

ROCKINGHAM COUNTY: Brock, Dudley, Cushing, Hepworth, Ladd, Eldredge, Rathbone, Weeks of Greenland, Spollett, Eastman, MacDonald, Parmenter, McCaffrey, Sheehy, Holden of Newington, LaBranche, Sewall, McDaniel, Seel, Barrett, Hundley, Payette, Sadler, Foote, Murch, Yeaton, Joyce, Leary, Wardwell, Smart, Ingraham, Mafera, Philbrick, Haigh, Peever, Durkee, Scamman.

STRAFFORD COUNTY: Chase, Keenan, Leighton, Grimes, Marcotte of Dover, Fellows, Webb, Connell, Crandall, Flanagan, Littlehale, Stearns, Blanchard, Rolfe, Carignan, Lacasse, St. Pierre, Studley, Fernald, Green of Rollinsford, Lagueux, Letourneau.

BELKNAP COUNTY: Perkins of Alton, McAllister, Nichols, Gardner of Gilford, Robertson, Hart, Stafford, Morin, Simoneau, Tilton of Laconia, Burbank, O'Shan, Brown of Laconia, Varrell, Matthews, Metcalf of Tilton.

CARROLL COUNTY: Benson, Downs, Mudgett, Morey, Kimball of Moultonborough, Diffenderfer, Hodge, Peaslee of Wakefield, Clow.

Nays — 83

MERRIMACK COUNTY: Tebbetts, Jewett, Rainie of Concord, Maxham, Walker of Concord, Mahoney, Mendenhall, Patenaude, Davis of Hopkinton, Brown of Loudon, Wilman, Ferguson.

HILLSBOROUGH COUNTY: Black, Hambleton, Poore, Adams of Greenfield, English, Cain, Danforth, Pillsbury, Connor, Deans, Wadleigh, Cooper, Pappagianis, Mailloux.

CHESHIRE COUNTY: Clark of Harrisville, Faulkner, Rhodes.

SULLIVAN COUNTY: Frizzell, Holden of Newport, Roe, Vaughan.

GRAFTON COUNTY: Chamberlin of Bath, Whittier, Plumer, Eggleston, Brown of Easton, Atkins, Fuller, Hayward, Holden of Hanover, McMeekin, Adams of Lebanon, Cole, Jones, Victor of Lebanon, Longchamps, Barney, Woodward, Sawyer.

COOS COUNTY: Robinson, Potter, Hilliard.

ROCKINGHAM COUNTY: Griffin of Auburn, Wastcoat, Clark of Derry, Richards, Jones of Fremont, Merrill of Hampton, Thurlow, Wells, Carter, Pinkham, Waterhouse.

STRAFFORD COUNTY: Swain, Locke of Dover, Funkhouser, Wormhood, Nelson, Clement, Beamis, Malley, Brown of Strafford.

BELKNAP COUNTY: Roeder, Karagianis, Kipp, Smith of Meredith, Atwood.

CARROLL COUNTY: Washburn, Gale, Nickerson, Hodgdon, Ford.

And less than two thirds of the elected membership having voted in the affirmative the motion to suspend the rules did not prevail.

Report of the Committee on Engrossed Bills

Mrs. Mahoney of Concord for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Bills and Senate Bills:

House Bill No. 198, An Act to amend the unified personnel system for the state.

House Bill No. 264, An Act to prevent the feeding of untreated garbage to swine.

House Bill No. 282, An Act relating to the homestead right.

Senate Bill No. 28, An Act relative to disposition of moneys from special licenses for taking lobsters and crabs, clams or oysters.

Senate Bill No. 52, An Act relating to motor vehicle licenses and the operation of motor vehicles.

Senate Bill No. 63, An Act relating to time of payment of loss or damage by fire.

Senate Bill No. 66, An Act relating to registration of motor vehicles.

Senate Bill No. 79, An Act relative to the board of adjustment in the city of Portsmouth.

The report was accepted.

Committee Reports

Mr. Hepworth of Derry for the Committee on Executive Departments and Administration to whom was referred Senate Bill No. 51, An Act relating to registration and license fees; penalties, etc. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Wadleigh of Milford for the Committee on Judiciary to whom was referred House Bill No. 49, An Act relative to licenses for games of beano and permits of certain games of chance. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Faulkner of Keene for the Committee on Judiciary to whom was referred House Bill No. 388, An Act relative to radio and television interference. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Holmes of Amherst for the Committee on Judiciary to whom was referred House Bill No. 421, An Act relative to the division of investigation of accounts. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Mudgett of Conway for the Committee on Judiciary to whom was referred House Bill No. 425, An Act providing for state salaries for certain deputy registers of deeds. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Otis of Concord for the Committee on Public Health to whom was referred Senate Bill No. 41, An Act relative to compensation for members of the chiropractic board. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill was referred to the Committee on Appropriations under the rules.

Mrs. Otis of Concord for the Committee on Public Health to whom was referred House Joint Resolution No. 49, Joint Resolution to establish an interim commission to study the various phases of nursing. Having considered the same, reported the same with the recommendation that the Joint Resolution ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barney of Rumney for the Committee on Resources, Recreation and Development to whom was referred House Bill No. 316, An Act to provide more adequate accommodations on public recreational areas. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill referred to the

Committee on Appropriations under the rules.

Mr. Killeen of Walpole for the Special Committee consisting of the delegation from the county of Cheshire to whom was referred House Bill No. 314, An Act relative to county appropriations in aid of the Elliot Community Hospital in Keene. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Senate Message

A message sent down from the Honorable Senate by its Clerk announced that:

The Senate concurred with the House of Reupresentatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 315, An Act relative to mortuary regulations.

Amend section 1 of the bill by striking out all after the word "directors" in line 7 of the bill and inserting in place thereof the following, so that said section as amended shall read as follows: This section shall not apply to any corporation licensed prior to January 1st, 1953, nor to any corporation whose application for a license or certificate was pending before the Board of Registration on that date, so that said section as amended shall read as follows:

1. *Mortunary Regulations.* Amend section 15 of chapter 168 of the Revised Laws as amended by section 2, chapter 154, Laws of 1949, by striking out said section and inserting in place thereof the following: 15. *Corporations, etc.* No corporation or partnership shall be issued a certificate of registration as a registered funeral director nor shall any corporation or partnership o any individual connected therewith publicly advertise such corporation or partnership as being registered funeral directors. This section shall not apply to any corporation licensed prior to January 1st, 1953, nor to any corporation whose application for a license or certificate was pending before the Board of Registration on that date.

On motion of Mr. Maxham of Concord the House con-

curred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution sent up from the House of Representatives:

House Bill No. 11, An Act relative to compensation for members of the barbers' examining and licensing board, and to fees for renewal of certain licenses.

House Bill No. 22, An Act relative to the board of registration of hairdressers and licenses for the practice of hairdressing.

House Bill No. 48, An Act creating an interim commission to draft a home-rule charter for the city of Manchester.

House Bill No. 173, An Act relating to the practice of medicine.

House Bill No. 213, An Act relative to unincorporated associations.

House Bill No. 412, An Act relative to weather modifications.

House Bill No. 418, An Act relating to the Belknap County Recreational Area.

House Joint Resolution No. 43, Joint Resolution in favor of Mrs. Helen Huckins.

The message further announced that:

The Senate refused to concur with the House of Representatives in the passage of the following entitled bill and joint resolution, sent up from the House of Representatives:

House Bill No. 226, An Act relative to marking ballots at elections.

House Joint Resolution No. 39, Joint Resolution in favor of Lovell V. Oakes.

The message further announced that:

The Senate had voted to accede to the request of the House for a Committee of Conference on House Bill No. 318, An Act relative to motor vehicle operator's licenses held by military personnel, and the President appointed as members

of such Committee on the part of the Senate, Senators Adams and Paquette.

The message also announced that:

The Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 56, An Act repealing the provisions for open season for the taking of beaver.

Senate Bill No. 62, An Act relative to licenses to hunt.

Senate Bill No. 89, An Act relative to affidavits to be executed by candidates and elected officials.

Senate Bills Read and Referred

The following bills were severally introduced, read a first and second time, referred as follows:

Senate Bill No. 56, An Act repealing the provisions for open season for the taking of beaver. To the Committee on Fish and Game.

Senate Bill No. 62, An Act relative to licenses to hunt. To the Committee on Fish and Game.

Senate Bill No. 89, An Act relative to affidavits to be executed by candidates and elected officials. To the Committee on Executive Departments and Administration.

Concurrent Resolution

Mr. Codding of Keene offered the following concurrent resolution:

Whereas, Mr. Lewis K. Gough, National Commander of the American Legion, will make his official visitation to this State on May 27, and

Whereas, this great leader of the world's largest Veterans' Organization is recognized as a man of outstanding ability, therefore be it

Resolved, that he be and hereby is invited to address a joint assembly of the House and Senate at 11:01 A.M., on Wednesday, May 27, and his Excellency the Governor and Honorable Council be invited to participate.

On a *viva voce* vote the concurrent resolution was adopted.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles and joint resolution by its caption only.

Third Readings

House Bill No. 421, An Act relative to the division of investigation of accounts.

House Joint Resolution No. 49, Joint Resolution to establish an interim commission to study the various phases of nursing.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 51, An Act relating to registration and license fees; penalties, etc.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Cooper of Nashua at 12:36 o'clock the House adjourned.

WEDNESDAY, MAY 6, 1953

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Rev. Edward W. Meury, First Congregational Church, Keene.

O God, Who speakest not in earthquake, wind ,or fire, but ever through the still, small voice in the soul of man, speak Thou unto those who are searching for Thy will and Thy way, that they may guide our state with wisdom, patience, good humor and integrity.

Speak that they may hear and understand. *Amen.*

Leaves of Absence

Mr. Hoyt of Laconia was granted leave of absence for the day on account of illness.

Mr. Belletete of Jaffrey was granted leave of absence for the day on account of important business.

Mrs. Hundley of Portsmouth was granted leave of absence for two weeks on account of important business.

Qualified

Mr. Eastman of Exeter having qualified before His Excellency, the Governor, then appeared during the session and took his seat as a member of the House.

Introduction of Bills

By Rules Committee (McMeekin of Haverhill), House Bill No. 442, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1954. To the Committee on Appropriations.

By Rules Committee (Mr. McMeekin of Haverhill), House Bill No. 443, An Act making appropriation for the expenses of certain departments of the state for the year ending June 30, 1955. To the Committee on Appropriations.

Mr. Attala of Manchester moved that the rules be so far suspended as to allow for the introduction of a joint resolution.

The question being on the motion to suspend the rules.

(Discussion Ensued)

Messrs. Attala and Kearns of Manchester spoke in favor of the motion.

Mr. Pillsbury of Manchester spoke against the motion.

The Speaker called for a division.

A division being had 173 members having voted in the affirmative, and 150 members having voted in the negative and less than two-thirds of the elected membership having voted in the affirmative the motion did not prevail.

Mr. Gardner of Littleton demanded the yeas and nays but subsequently withdrew his demand.

By Rules Committee (Mr. Pillsbury of Manchester) House Joint Resolution No. 52, Joint Resolution relating to the investigation of subversive activities. To the Joint Committee on Judiciary and Appropriations.

Report of Committee on Engrossed Bills

Mrs. Corliss of Manchester for the Committee on En-

grossed Bills reported that they had examined and found correctly engrossed the following entitled House Bills, Senate Bills and House Joint Resolution:

House Bill No. 11, An Act relative to compensation for members of the barbers' examining and licensing board, and to fees for renewal of certain licenses.

House Bill No. 173, An Act relating to the practice of medicine.

House Bill No. 213, An Act relative to unincorporated associations.

House Bill No. 249, An Act relating to business corporations, issuance of fractional shares and organization meeting of incorporators.

House Bill No. 272, An Act relative to increase in exemption of attachable property.

House Bill No. 349, An Act relative to frozen desserts.

House Bill No. 412, An Act relative to weather modifications.

House Bill No. 418, An Act relating to the Belknap County Recreational Area.

Senate Bill No. 18, An Act relative to disability benefits under firemen's retirement system.

Senate Bill No. 68, An Act legalizing the proceedings of the annual school district meeting and the annual town meeting in the town of Freedom, held on March 10, 1953.

Senate Bill No. 85, An Act legalizing proceedings of town meeting in Croydon.

House Joint Resolution No. 43, Joint Resolution in favor of Mrs. Helen Huckins.

The report was accepted.

Miss Loizeaux of Plymouth for the Committee on Appropriations to whom was referred House Joint Resolution No. 50, Joint Resolution in favor of the department of the adjutant general. Having considered the same, reported the same with the recommendation that the Joint Resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Baron of Claremont for the Committee on Appropria-

tions to whom was referred House Joint Resolution No. 51, Joint Resolution providing for granting of special citations to state employees for suggestions for improvement of state services. Having considered the same, reported the same with the following amendment, and the recommendation that the Joint Resolution as amended ought to pass.

Amend the joint resolution by striking out the words "one hundred and fifty dollars in the ninth and tenth lines and inserting in place thereof the words, three hundred dollars, so that the resolution as amended shall read as follows:

That any state employee who shall submit a meritorious and noteworthy suggestion for the improvement of state service in general or service of a particular department shall be rewarded by a special citation and a grant of money as hereinafter provided: The governor shall determine the awards for state citations which shall carry a grant of fifty dollars each, the head of any state department, institution or agency shall determine the awards for department citaions which shall carry a grant of ten dollars each. The sum of three hundred dollars for the fiscal year ending June 30, 1954, and a like sum for the year ending June 30, 1955, are hereby appropriated to be expended by the governor for the purpose of the award of state citations. The governor is authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated. The award of department citations shall be a charge upon available unexpended funds of the particular department, institution or agency granting the citation.

The report was accepted.

On motion of Mr. McMeekin of Haverhill reading of the amendment was dispensed with.

On a *viva voce* vote the amendment was adopted and the joint resolution ordered to a third reading.

Mr. Geisel of Manchester for the Committee on Banks to whom was referred Senate Bill No. 30, An Act relating to investment of excess funds by building and loan associations. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by inserting after the word "Book" in the third and sixth lines the word, In, so that said

section as amended shall read as follows: 1. *Building and Loan Associations.* Amend section 23, chapter 314 of the Revised Laws by adding at the end thereof the following new paragraph: V. *Shareholders Pass Book.* In notes secured by any book of deposit issued by any savings bank or by a savings department of a state bank existing under the laws of the state of New Hampshire, or a national bank whose principal place of business is located in New Hampshire, or in notes secured by the shareholders pass book of any building and loan association or cooperative bank of this state, or federal savings and loan association whose principal place of business is located in the state of New Hampshire, provided that the investment in the case of banks shall not be in excess of the amount due the depositor as shown in said deposit book and in the case of building and loan associations, federal savings and loan associations and cooperative banks shall not be in excess of the amount due the shareholder as shown on said pass book.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Giesel of Manchester for the Committee on Banks to whom was referred Senate Bill No. 31, An Act relating to shares of building and loan association. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out sections 2 and 3.

Amend section 4 of the bill by striking out the word "existing" in the seventh line so that said section as amended shall read as follows: 4. *Limitation on Amount.* Amend section 35, chapter 314, Revised Laws, as amended by section 3, chapter 7, Laws of 1943, and by section 9, chapter 106, Laws of 1949, by striking out said section and inserting in place thereof the following: 35. *Investment Shares.* Associations may issue investment shares bearing dividends at a rate not to exceed five per cent per annum payable semi-annually. No person shall hold more than fifteen thousand dollars in these shares, or a combination of paid-up shares and investment shares. Investment shares may be withdrawn or retired under the same conditions as provided for paid-up shares by sections 33 and 34.

Further amend said bill by renumbering sections 4 and 5 to read sections 2 and 3.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Geisel of Manchester for the Committee on Banks to whom was referred Senate Bill No. 32, An Act relating to borrowings by real estate loans and reserves of Building & Loan Associations. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by inserting after section 1 a new section as follows:

2. *Mortgages, Loans or Other Securities.* Amend said chapter 314 by inserting after section 19 a new section as follows: 19-a. *Sales and Assignments.* It may sell, transfer, assign, purchase and repurchase real estate mortgages, notes or other securities and may collect and apply payments due upon and may otherwise service mortgage loans, notes and other securities owned by others; provided that such loans, notes and other securities are of such a type and within such limits as are prescribed for direct investment by building and loan associations under this chapter.

Further amend the bill by renumbering sections 2, 3, 4 to read sections 3, 4, 5.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Vaughan of Newport for the Committee on Education to whom was referred Senate Bill No. 64, An Act disannexing a certain homestead from the town of Colebrook and annexing the same to the place of Dixville for school purposes. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr Bennett of Keene for the Committee on Executive Departments and Administration to whom was referred Senate Bill No. 33, An Act relating to joint accounts and distribution thereof. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Fuller of Hanover for the Committee on Executive Departments and Administration to whom was referred House Bill No. 29, An Act relative to retirement age for state employees. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out all after the word "service" in the fifteenth line and inserting in place thereof the following: Said request shall be made to a committee consisting of the Director of Personnel and two members of the Board of Trustees of the Retirement System, only one of whom shall be an employee member. The two members from the Board of Trustees shall be named for terms of two years by the Board of Trustees. Said committee shall determine whether or not a member in service who has reached the age of seventy is fit to remain in state service and the decision of the committee shall be final. The status of each member thus continued in service shall be reconsidered annually as of the birthday of said member, so that said section as amended shall read as follows: 1. *State Employees Retirement System.* Amend paragraph I of section 5 of chapter 27-A of the Revised Laws as inserted by chapter 183, Laws of 1945, by striking out said paragraph and inserting in place thereof the following: I. Any member in service may retire on a service retirement allowance upon written application to the board of trustees setting forth at what time, not less than thirty days or more than ninety days subsequent to the filing thereof, he desires to be retired, provided the member at the time so specified for his retirement has attained age sixty-five and notwithstanding that during such period of notification he may have separated from service. Any member in service who attains age seventy, except an elected or appointed official of the state, shall be retired forthwith or on the first day of the next calendar month, unless said member shall request an extension of service. Said request shall be made to a committee consisting of the Director of Personnel and two members of the Board of Trustees of the Retirement System, only one of whom shall be an employee member. The two members from the Board of Trustees shall be named for terms of two years by the Board of Trustees. Said committee shall determine whether or not a member in service who has reached the age of seventy is fit to remain in state service and the decision of the committee

shall be final. The status of each member thus continued in service shall be reconsidered annually as of the birthday of said member.

The report was accepted, and the amendment laid upon the table under rule 48.

Mr. Powell of Sutton for the Committee on Executive Departments and Administration to whom was referred House Bill No. 401, An Act creating a state board of examiners of electricians. Having considered the same, reported the same with the following resolution,

Resolved, That it be referred to the Legislative Council.

The report was accepted and the recommendation of the committee adopted.

Mr. Longchamps of Littleton for the Committee on Executive Departments and Administration to whom was referred House Bill No. 414, An Act relative to prior service credits under the state employees retirement system. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred Senate Bill No. 88, An Act relative to fishing in upper Connecticut River. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 205, An Act in relation to the disposition of game. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred House Bill No. 373, An Act relative to special non-resident small game licenses. Having con-

sidered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Sadler of Portsmouth for the Committee on Insurance to whom was referred House Bill No. 322, An Act relating to motor vehicle liability insurance. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Sadler of Portsmouth for the Committee on Insurance to whom was referred House Bill No. 392, An Act relative to a merit and demerit insurance plan for private passenger automobiles. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Sadler of Portsmouth for the Committee on Insurance to whom was referred House Bill No. 399, An Act relative to pre-settlement payments of liability insurance. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Jones of Lebanon for the Committee on Judiciary to whom was referred Senate Bill No. 50, An Act relating to license fees; penalties, etc. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Matthews of New Hampton for the Committee on Judiciary to whom was referred Senate Bill No. 69, An Act relative to the duties of the New Hampshire Commission in Interstate Cooperation. Having considered the same, reported

the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Beamis of Somersworth for the Committee on Judiciary to whom was referred House Bill No. 245, An Act relating to deceased persons' statements. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Jones of Lebanon for the Committee on Judiciary to whom was referred House Bill No. 270, An Act to provide for the appointment of an attorney by the public utilities commission. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lang of Manchester for the Committee on Public Welfare and State Institutions to whom was referred House Bill No. 404, An Act relative to State Industrial School. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 21 of the bill by inserting after the word "approval" in the second line the words, at the next regular or special meeting, so that said section as amended shall read as follows: 21. *Remands and Changes in Conditions of Release.* The trustees or the superintendent as their agent, subject to their subsequent approval, at the next regular or special meeting, shall have full power at any time to modify or cancel any arrangements or conditions in relation to release other than discharge of any child, or may order the child remanded to the school, such power to continue until the child attains the age of twenty-one years. The superintendent shall have the duty, under the direction of the trustees and subject to regulations prescribed by them, of: a. seeking out proper places for children fitted for trial placement or parole and of keeping in touch with such children after they are so released by such methods and in such other manner as the trustees may pre-

scribe. b. making reports of his activities to the trustees whenever required by them and whenever he deems it in the best interests of any child on trial placement or parole to be placed under different conditions he shall report the case fully to the trustees, together with his recommendations and the trustees shall then act on the case in whatever manner seems to them to be in the best interests of said child. c. remanding children to the custody of the school with the same power and authority as provided to the trustees or under such terms and conditions as they may prescribe.

The superintendent in the performance of any of these duties and functions may delegate his authority to any individual or board as the best interests of organizations may dictate.

Amend said bill by inserting after section 28 the following new section: 29. *Delinquent Children.* Amend section 7 of chapter 132 of the Revised Laws by adding at the end thereof the words, provided, however, that if the court places such child in the custody of the industrial school, final disposition of his case shall be made within thirty days of such placement, so that said section as amended shall read as follows: 7. *Custody.* Pending final disposition of the case, the child may be retained in the custody of the person having the child in charge, or in the custody of the probation officer, or may be kept in some suitable place at the expense of the town, county or state, as may be ordered by the court, provided, however, that if the court places such child in the custody of the industrial school, final disposition of his case shall be made within thirty days of such placement.

Further amend said bill by renumbering section 29 to read section 2.

The report was accepted.

On motion of Mr. Black of Bennington reading of the amendment was dispensed with.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Locke of New Boston for the Committee on Resources, Recreation and Development to whom was referred House Bill No. 110, An Act establishing an interim commission for the study of development of Lake Winnipesaukee.

Having considered the same, reported the same with the

following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 3 of the bill by striking out all after the words "section 2" so that said section as amended shall read as follows: 3. *Vacancies: Tenure.* In case of a vacancy occurring by death or resignation, it shall be filled by appointment for the unexpired term by the appointive authority as provided in section 2.

Amend paragraph I of section 5 of the bill by striking out the words "the amendment of the motor fuel tax for development of public piers, landings, etc." in the sixth and seventh lines so that said paragraph as amended shall read as follows: I. To prepare, coordinate and present recommended legislation in the fields of recreational development of the Lake Winnipesaukee area, including a review of proposals for the development areas for public use, the development of public piers and landing facilities, to the general court for appropriate action.

Further amend said bill by striking out section 6 and renumbering section 7 to read section 6.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Wheeler of Keene for the Committee on Resources, Recreation and Development to whom was referred House Bill No. 405, An Act for the extension of skiing facilities on the Cannon Mountain Franconia Notch State Reservation and studies on other areas. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out all after the word "thereof" in the seventh line so that said section as amended shall read as follows: 1. *Appropriation.* The sum of three hundred and five thousand dollars ($305,000) is hereby appropriated for the purpose of the construction on the Cannon Mountain Franconia Notch State Reservation of additional skiing facilities and appurtenances and services for the public including trails, slopes, up-ski devices, parking areas and such necessary buildings for service and sales to the public as will provide the most efficient recreational use of said area with due regard to the scenic attractions thereof.

The report was accepted, the amendment adopted and

the bill was referred to the Committee on Appropriations under the rules.

Mr. Mafera of Raymond for the Committee on Resources, Recreation and Development to whom was referred House Joint Resolution No. 24, Joint Resolution relative to a study of sports activities in the Mount Washington, Pinkham and Crawford Notch areas. Having considered the same, reported the same with the recommendation that the Joint Resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Taken from the Table Under Rule 48

House Bill No. 144, An Act to provide for liens in favor of hospitals and other institutions.

The question being on the amendment as printed in the Journal for April 30.

On a *viva voce* vote the amendment was adopted.

Mr. Healy of Manchester, Ward 6, moved that the report of the minority, inexpedient to legislate be substituted for the report of the majority.

The question being on the motion to substitute.

(Discussion Ensued)

Mr. Healy of Manchester, Ward 6, spoke in favor of the motion.

Mrs. Atkins of Hanover spoke against the motion.

(Mr. McMeekin In Chair)

Mr. Saidel of Manchester spoke in favor of the motion.

Mr. Clow of Wolfeboro and Mrs. Cooper of Nashua spoke against the motion.

(Speaker In Chair)

Mrs. Otis of Concord spoke against the motion.

Mr. Rathbone of Exeter moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion Ensued)

Messrs. Rathbone of Exeter, Healy of Manchester, Ward

6, and Mrs. Brungot of Berlin spoke in favor of the motion.

Mr. Dixon of Lyme spoke against the motion.

Mr. Ingraham of Portsmouth moved the previous question.

The question being.

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion prevailed.

Mrs. Atkins of Hanover called for a division.

A division being had 181 members having voted in the affirmative and 91 members having voted in the negative the motion to indefinitely postpone prevailed.

Mrs. Atkins of Hanover demanded the yeas and nays but subsequently withdrew her demand.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 350, An Act relative to the powers of the board of incorporation and management of trust companies' incorporation.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 50, An Act relative to deposits of money by credit unions in federal savings and loan associations.

House Bill No. 204, An Act relating to the powers of savings banks.

House Bill No. 298, An Act relative to bounties on porcupines.

The message further announced that:

The Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 3, An Act relative to required equipment and licensing of bicycles.

The message further announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 180, An Act relating to the salaries of the justice, special justice and clerk of the municipal court of Manchester.

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3. *Manchester and Lebanon Municipal Courts.* Amend paragraph I of section 31 of chapter 377 of the Revised Laws, as amended by chapter 232 of the Laws of 1947 and by chapter 73, Laws of 1953, by striking out the words "Manchester, three thousand eight hundred" and inserting in place thereof the words, Manchester, five thousand, and by striking out the words "Lebanon, one thousand" and inserting in place thereof the words, Lebanon, one thousand five hundred, so that said paragraph as amended shall read as follows:

I. *Salaries of Justices.* Salaries of justices of municipal courts shall be paid from the treasury of the city or town in which such courts are located, may be paid quarterly or monthly, and shall be in the following sums per annum:

In Manchester, five thousand dollars;
In Nashua, two thousand eight hundred dollars;
In Concord, three thousand five hundred dollars;
In Portsmouth, one thousand eight hundred dollars;
In Dover, one thousand eight hundred dollars;
In Laconia, one thousand eight hundred dollars;
In Keene, one thousand eight hundred dollars;
In Claremont, one thousand eight hundred dollars;
In Berlin, one thousand eight hundred dollars;
In Rochester, one thousand two hundred dollars;
In Lebanon, one thousand five hundred dollars;
In Newport, nine hundred dollars;
In Derry, nine hundred dollars;
In Franklin, nine hundred dollars;
In Exeter, eight hundred dollars;
In Somersworth, eight hundred dollars;

In Littleton, eight hundred dollars;

In Milford, six hundred dollars.

Amend the title of said bill by adding at the end thereof the words, and the salary of the justice of the municipal court of Lebanon, so that said title as amended shall read as follows:

An Act relating to the salaries of the justice, special justice and clerk of the municipal court of Manchester, and the salary of the justice of the municipal court of Lebanon.

Mr. Kearns of Manchester moved that the House nonconcur in the amendment sent down from the Honorable Senate and that a Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed and the Speaker appointed as members of such committee on the part of the House, Messrs. Dupont, O'Neil and Pillsbury of Manchester.

The message further announced that:

House Bill No. 203, An Act changing the name of Portsmouth Building & Loan Association of Portsmouth, New Hampshire to Portsmouth Co-operative Bank.

Amend the Bill by adding after section 1 of the bill a new section as follows:

2. *Franklin Building & Loan Association.* The name of the Franklin Building & Loan Association, a voluntary association duly established under the laws of the State on December 29, 1887, is hereby changed to Franklin Co-Operative Bank.

Further amend the bill by re-numbering section 2 to read section 3.

Amend the title of the bill by adding after the word "bank" the words, and to change the name of the Franklin Building & Loan Association, so that said title as amended shall read as follows: An act changing the name of the Portsmouth Building & Loan Association of Portsmouth, New Hampshire, to Portsmouth Co-Operative Bank and to change the name of the Franklin Building & Loan Association.

On motion of Mr. Foote of Portsmouth the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House

Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 22, An Act relative to the board of registration of hairdressers and licenses for the practice of hairdressing.

Amend section 2 of said bill by striking out the first four lines and inserting in place thereof the following:

2. *Applicant for License.* Amend subparagraph (2) of paragraph I of section 11 of chapter 157, Revised Laws, as amended by section 3, chapter 39, Laws of 1947, by striking out the sixteenth to the twenty first lines, and by striking out the words "one year" in the tenth line and inserting in place thereof the words, two years, so that said paragraph as amended shall

On motion of Mr. Clow of Wolfeboro the House concurred in the adoption of the amendments proposed by the committee on engrossed bill.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that:

The Senate had passed the following joint resolution, in the passage of which it asks the concurrence of the House of Representatives:

Senate Joint Resolution No. 4, Joint Resolution in favor of Marie Audet.

Senate Joint Resolution Read and Referred

Senate Joint Resolution No. 4, Joint resolution in favor of Marie Audet.

Read a first and second time and referred to the committee on Appropriations.

Resolution

Mr. Sargent of Danbury offered the following resolution:

Whereas, Leon E. Sawyer of Wilmot has passed away, and

Whereas, Mr. Sawyer was a Representative from the town of Wilmot for three terms, a Member of the Constitutional Convention, Selectman, Member of the School Board and School Moderator, therefore be it

Resolved, That we, the Members of the House of Repre-

sentatives, pay tribute to our former fellow associate for his services to his town and state, for his heartfelt interest and acts in behalf of his fellowmen, and be it further

Resolved, That we express our deep sympathy to the family in its bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these Resolutions to the widow, Mrs. Sawyer.

On a *viva voce* vote the resolution was unanimously adopted.

On motion of Mr. Martel of Manchester: Je propose que le règlement intérieur de la Chambre soit suspendu afin de reconnaître à l'heure actuelle, l'ordre du jour de l'après-midi, et de procéder à la troisième lecture des projets de loi et des résolutions conjointes par leurs titres seulement.

Third Readings

House Bill No. 110, An Act establishing an interim commission for the study of development of Lake Winnipesaukee.

House Bill No. 404, An Act relative to State Industrial School.

House Joint Resolution No. 50, Joint resolution in favor of the department of the adjutant general.

House Joint Resolution No. 51, Joint resolution providing for granting of special citations to state employees for suggestions for improvement of state service.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 30, An Act relating to investment of excess funds by building and loan associations.

Senate Bill No. 31, An Act relating to shares of building and loan association.

Senate Bill No. 32, An Act relating to borrowings by real estate loans and reserves of Building & Loan Associations.

Severally read a third time and passed and sent to the Senate for concurrence in the amendment.

Senate Bill No. 33, An Act relating to joint accounts and distribution thereof.

Senate Bill No. 64, An Act disannexing a certain homestead from the town of Colebrook and annexing the same to the place of Dixville for school purposes.

Senate Bill No. 88, An Act relative to fishing in upper Connecticut River.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. St. Pierre of Rochester at 2:23 o'clock the House adjourned.

THURSDAY, MAY 7, 1953

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O God of mercy and goodness, and who hast promised all things to us if we are willing to accept Thy terms; how many times we have prayed to Thee with half our heart or listened with half our mind; how many times we have expected Thee to do for us what we can and should do for ourselves; how many times we have tried to compromise right and wrong, and how many times when we have done these things we have failed. We beseech Thee our God, to open our minds to the truth as Thou hast given it to us in the teachings of Jesus Christ; deliver us from the reservations that would pray: "Thy kingdom come — but not yet; Thy will be done on earth — by other people; "do unto others as you would have others do unto you — if it is expedient. Deliver us merciful God from this type of Christianity, and help us to ever remember if Thy will is to be done, we must do it, and if the Golden Rule is to work, we must work it. *Amen.*

Leaves of Absence

Messrs. Martel of Manchester and Clow of Wolfeboro were granted leave of absence for the day on account of important business.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Rules Committee (Mr. Barry of Wilton), House Bill

No. 444, An Act relative to the division of accounts. To the Committee on Appropriations.

Printing Dispensed With

On motion of Mr. Barry of Wilton the rules were so far suspended as to dispense with the printing of House Bill No. 444.

By Mr. Martel of Manchester, House Bill No. 445, An Act relating to obscene literature, pictures and articles. To the Committee on Executive Departments and Administration.

Committee Reports

Miss Loizeaux of Plymouth for the Committee on Appropriations to whom was referred House Bill No. 143, An Act extending the appropriations for the so-called Children's Study Home. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Children's Study Home.* Any balance of the appropriation provided by section 9 of chapter 279 of the Laws of 1947, as extended by section 8, chapter 8 of the Laws of 1950, and by section 1, of chapter 164, Laws of 1951, and the authority to issue bonds or notes thereunder shall not lapse but shall be continued and made available, in addition to the funds appropriated by this act, for the construction of a building for the children's study home and mental hygiene clinics as provided under chapter 279, Laws of 1947 and for purchase of furniture, furnishings and equipment. Said building shall be located on land now owned by the state in the vicinity of the corner of South Fruit and Clinton streets in the city of Concord. In addition to the above funds there is hereby appropriated for the same purposes the sum of one hundred twelve thousand dollars.

The state treasurer is hereby authorized, under the direction of the governor and council, to borrow said sum upon the credit of the state for the purposes herein authorized and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council. The provisions of said section 9 of chapter 279, Laws of 1947, relative to ma-

turity dates of such bonds and notes, form and denomination, registration and sale of such bonds and notes shall apply to the additional funds hereby appropriated.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Davis of Hopkinton for the Committee on Appropriations to whom was referred House Bill No. 312, An Act providing for a revolving fund for use by the state technical institutes. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Scamman of Stratham for the Committee on Appropriations to whom was referred House Bill No. 423, An Act providing for a salary increase for classified state employees. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by inserting after the title the following:

Whereas the appropriations for personal services in state departments and institutions include an annual increment for each position, and whereas upon occasion due to vacancies and personnel turnover, salaries, increment increases and longevity as provided by the appropriations are not needed for said positions, each quarter the department of administration and control shall transfer said amount from the departmental or institutional appropriation to a special account to be known as the salary adjustment fund. This fund shall lapse each year and revert to the appropriate fund.

Commencing at the beginning of each fiscal year, and as vacancies occur, department and institution heads shall certify to the comptroller that the position is vacant as of a certain date, that the money for the position will be put aside to be credited to the salary adjustment fund until such time as the position is filled, and that under no circumstances will such available funds be used for temporary position or new positions.

Upon the certification of the director of personnel, subject to the approval of governor and council, the salary adjustment fund shall be available for transfer to departments and institutions in amounts that are deemed necessary to com-

ply with chapter 9, laws of 1950.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Salary Increase.* The salary scale for classified personnel of the state shall be increased in each salary range and each step in the range by the sum of one hundred dollars or by an amount equivalent to an increase of seven per cent of the same salary range and step in the range as established on July 1, 1950, whichever is greater. The salaries of all classified employees shall be increased as provided in this section.

Amend section 2 of this bill by striking out said section and inserting in place thereof the following:

2. *Additional Increases.* In addition to the increase provided in section 1, further increase shall be made to the following classified employees:

a. To the annual salary of those custodial employees regularly working fifty-one hours per week shall be added compensation equivalent to three hours per week, or one hundred fifty-six yours per year. In effect the standard work week for custodial employees is hereby reduced to a basic forty-eight hour week, the three hours per week allowable for compensation to be in the forme of overtime that is actually worked.

b. To the annual salary of those trade employees regularly working forty-four hours per week, except those trade employees working on an hourly rate, or straight time at the hourly rate for hours worked over forty for hourly employees, or those employees on salary working less than forty-four hours computed by dividing the weekly rate by forty hours, shall be added compensation equivalent to four hours per week or two hundred eight hours per year. In effect the standard work week for trade employees is hereby reduced to a basic forty hour week, the four hours per week allowable for compensation to be in the form of overtime that is actually worked.

Further amend the bill by inserting after section 2 the following new section:

3. *Interpretation.* The increases in salary authorized by this act shall be deemed to be a part of the salary scale for classified state employees and said scale shall be increased accordingly. The provisions of this act shall not be construed as affecting yearly increments of employees or statutes providing for longevity payments.

While funds are hereby made available for the payment of overtime, it is the legislative intent that inasmuch as the standard work weeks have been lowered that department and institution heads utilize the appropriated funds to eliminate overtime by a combination of increased efficiency and the establishment of new positions by governor and council upon the recommendation of the director of personnel.

Further amend the bill by renumbering section 3 to read section 4 and by striking out the words and figures "four hundred eight thousand eight hundred thirty-nine dollars ($408,839)" in the third line and inserting in place thereof the following, four hundred eighteen thousand eight hundred thirty-nine dollars ($418,839), so that said as amended shall read as follows:

4. *Appropriations.* There is hereby appropriated for the fiscal year ending June 30, 1954, for the salary increases provided by sections 1 and 2 hereof the following sums; four hundred eighteen thousand eight hundred thirty-nine dollars ($418,839.) from the general funds of the state, thirty-two thousand seven hundred ninety-seven dollars ($32,797.) from fish and game funds, three hundred forty-three thousand five hundred sixty dollars ($343,560.) from highway funds, thirty-seven thousand two hundred sixty-five dollars ($37,265.) from federal funds and seventy-six thousand nine hundred three dollars ($76,903.) from funds of self-sustaining departments. Like amounts are hereby appropriated for the fiscal year ending June 30, 1955.

Further amend the bill by renumbering section 4 to read section 5.

The report was accepted, and the amendment laid upon the table under rule 48.

Mr. Tilton of Laconia for the Committee on Appropriations to whom was referred House Bill No. 433, An Act relating to retirement benefits. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Scamman of Stratham for the Committee on Appropriations to whom was referred House Joint Resolution No.

31, Joint Resolution in favor of Norman Pelletier. Having considered the same, reported the same with the following Resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Miss Woodward of Waterville for the Committee on Education to whom was referred House Bill No. 325, An Act relative to expense of providing educational facilities for the physically handicapped. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Robinson of Gorham for the Committee on Education to whom was referred Senate Bill No. 61, An Act providing for the construction of housing facilities for students and faculty at the University of New Hampshire. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Perley of Lebanon for the Committee on Executive Departments and Administration to whom was referred Senate Bill No. 87, An Act authorizing the Penacook and Boscawen Water Precinct to issue notes or bonds for its water system. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Brungot of Berlin for the Committee on Judiciary to whom was referred Senate Bill No. 81, An Act to establish the rights and qualifications of non-resident real estate owners to vote. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Wadleigh of Milford for the Committee on Judiciary

to whom was referred House Bill No. 382, An Act to provide for absentee voting at primaries. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out sections 1, 2, 3, 4 and 5, and inserting in place thereof the following:

1. *Absent Voting in Primaries.* Amend Chapter 33, Revised Laws, by inserting after section 41 the following new section: 41-a. *Absent Voting.* Absent voting as provided in sections 60 to 75, inclusive, of Chapter 34 shall be permitted in primaries held under this chapter and under Chapters 38 and 38-A. Prior to each such primary the secretary of state shall prepare in such quantities as he may deem necessary the papers required under section 61 of Chapter 34, with such modifications in each form as he may prescribe to make the same applicable to primaries. In making application for a ballot, the voter shall be required to declare his political party and to designate which political party's ballot he desires to receive. The absentee ballot of a political party shall not be issued in any case unless the applicant would be qualified to receive such ballot if voting in person; and the unregistered applicant who receives the particular ballot requested shall have his party membership registered as provided in section 43 of Chapter 33 of the Revised Laws, when his eligibility therefor is certified by the registrars or supervisors as provided in section 63 of Chapter 34.

Further amend said bill by renumbering sections 6 and 7 to read 2 and 3, respectively.

The report was accepted, and the amendment laid upon the table under rule 48.

Mr. Matthews of New Hampton for the Committee on Judiciary to whom was referred House Bill No. 420, An Act to provide for a revision of the Public Laws. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Angus of Claremont for the Committee on Labor to whom was referred House Bill No. 344, An Act relating to the minimum wage law. Having considered the same, reported

the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Minimum Wages.* Amend sections 25 and 26 of chapter 213, Revised Laws, as inserted by chapter 310, Laws of 1949, by striking out said sections and inserting in place thereof the following: 25. *Minimum Wages.* No person, firm or corporation shall employ any employee at a rate of less than sixty cents per hour, provided that this limitation shall not apply to employees engaged in hoursehold labor, domestic labor, farm labor, outside salesmen, summer camps for minors, restaurants, hotels, inns and cabins. 26. *Special Authorization in Certain Cases.* A person with less than six months' experience in an occupation, or a person whose earning capacity is impaired by age, or physical or mental deficiency or injury, may be paid not less than forty-five cents per hour upon application to and authorization from the commissioner of labor.

Further amend said bill by striking out section 2 and by renumbering section 3 to read section 2.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Angus of Claremont for the Committee on Labor to whom was referred House Bill No. 432, An Act amending the Unemployment Compensation Law. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Ecker of Manchester for the Committee on Municipal and County Government to whom was referred House Bill No. 435, An Act to establish a new apportionment for the assessment of public taxes. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Kimball of Moultonborough for the Committee on Municipal and County Government to whom was referred Senate Bill No. 84, An Act relative to method of payment for

clerk hire in the offices of registers of probate. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Otis of Concord for the Committee on Public Health to whom was referred Senate Bill No. 58, An Act relative to re-registration of pharmacists. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Otis of Concord for the Committee on Public Health to whom was referred Senate Bill No. 76, An Act relative to definitions under pure food, drugs and cosmetic law. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Soucy of Manchester, Ward 1, for the Committee on Public Works to whom was referred House Bill No. 367, An Act to lay out and construct a central New Hampshire turnpike. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Authority Granted for Turnpike.* The commissioner of public works and highways, with the approval of the governor and council, shall locate and construct a continuous highway from a point on the Massachusetts-New Hampshire boundary in the city of Nashua to a point in the city of Concord and shall operate and maintain said highway as a turnpike as hereinafter provided:

(a) Determine the location of the aforesaid turnpike and fix the width of its right of way.

(b) Acquire in the name of the state by purchase or by exercise of the right of condemnation as provided by statute such lands, property, rights, easements and interests as may be deemed necessary for carrying out the provisions of this act.

(c) Designate the locations and establish, limit and control such points of ingress to and egress from the turnpike as may be necessary or desirable to ensure the proper operation of the turnpike and to prohibit ingress to or egress from the turnpike at any points not so designated.

(d) Permit toll-free use of certain sections of the turnpike if it is for the public good.

(e) Construct grade separations at intersections of the turnpike with public roads and private ways, and change and adjust the lines and grades of such roads and ways so as to accommodate the same to the design of such grade separations and to the design of the turnpike.

(f) Construct, operate and maintain the turnpike within the compact areas of cities and towns.

(g) Grant permits or licenses to any corporation or person to place and maintain along, on, under or within the turnpike ducts, pipes, pipelines, poles, wires or other structures, to be so located as not to be unsightly and not to interfere with the safe and convenient operation and maintenance of the turnpike and contract with any such corporation or person for such permit or license on such terms and conditions as may be deemed necessary for carrying out the provisions of this act. The appearance, construction, maintenance and repairs of any such ducts, pipes, pipelines, poles, wires or other structures shall be subject to such directions and regulations as may be imposed.

(h) Provide areas where essential services to the users of the turnpike can be operated by persons or corporations. Plots of land in such areas shall be available for long term lease, with option of renewal, by persons or corporations at a rate sufficient to defray all the state's expenses connected with the areas. In laying out such areas provision shall be made so that to the maximum practicable extent in the public interest, there shall be competition between suppliers in the furnishing of services and facilities to users of the turnpike. Market facilities for local and other products may be leased on an annual or seasonal basis to persons or corporations. The operation of the area and the appearance and construction of buildings and structures therein shall be subject to such conditions and regulations as may be imposed. In leasing such areas preference shall be given to residents of the state whenever possible.

(i) Establish a temporary turnpike engineering section for the period of design and construction of the turnpike, assign permanent employees of the department of public works and highways to duties and positions in said section and employ such engineers and assistants as may be necessary on a temporary basis for said period of design and construction. The costs of said turnpike engineering section shall be a charge against the funds made available under this act.

(j) Enter into contractural relations on behalf of the state.

(k) Do and perform all such acts as are necessary for the public good.

(l) Cause periodic traffic and economic studies to be made of the operation of the aforesaid turnpike.

(m) Make periodic studies of possible extensions or additions to said turnpike.

(n) Employ such assistants, engineers or consulting services as may be necessary to carry out the provisions of paragraphs (l) and (m) above. The expense of the said studies shall be a charge upon the funds established under section 7 of this chapter, and upon approval by the legislature, extend said turnpike when recommendations of independent recognized consultants indicate that such extensions are economically feasible.

2. *Highway Patrol.* The commissioner of public works and highways shall establish a turnpike patrol for the maintenance of law enforcement, public safety, collection of tolls and courtesy aid. The policies of such patrol shall be determined jointly by the commissioner of public works and highways and the superintendent of state police and members of the state police may be assigned to such patrol by mutual agreement. Operational control of the portions of said patrol utilized for law enforcement and public safety shall be under the direction of the superintendent of state police. Maintenance and operational employees of the department of public works and highways assigned to turnpike duties may be given police powers and may be used on said patrol as designated. Costs of the said patrol shall be a charge on the fund established under section 7 of this act.

3. *Funds Provided.* A sum not exceeding nineteen million three hundred fifty thousand dollars ($19,350,000) is

hereby appropriated as hereinafter provided for the purposes of carrying into effect the provisions of this act.

4. *Borrowing Power.* The state treasurer is hereby authorized with the approval of the governor and council to borrow upon the credit of the state a sum not exceeding nineteen million three hundred fifty thousand dollars ($19,350,000) for the purpose of carrying into effect the provisions of this act and for the purpose may issue bonds in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council.

The maturity dates of such bonds shall be determined by the governor and council but in no case shall they be later than thirty years from the date of issue and may be redeemable before maturity at the option of the governor and council at such price or prices and under such terms and conditions as may be fixed by the governor and council prior to the issuance of the bonds. Such bonds shall contain an express guarantee which shall be deemed a contract on the part of the state that tolls will be collected in accordance with the provisions of this act until the date of maturity of said bonds or until sufficient money shall have accumulated to pay said bonds and the inteerst thereon at or prior to the dates of maturity. The bonds shall be in such form and such denominations as the governor and council shall determine, may be registerable as to both principal and interest, shall be countersigned by the governor, and shall be deemed a pledge of the full faith and credit of the state.

The secretary of state shall keep an account of all such bonds showing the number and amount of each, the time and date of countersigning, the date of delivery to the treasurer and the date of maturity.

The state treasurer shall keep an account of each bond showing the number thereof, the name of the person to whom sold, the amount received from the same, the date of the sale and the date of maturity.

5. *Short Term Notes.* Prior to the issuance of the bonds hereunder the state treasurer, with the approval of the governor and council, may for the purposes hereof borrow money from time to time on short term loans which may be refunded by the issuance of the bonds hereunder. Provided, however, that at no one time shall the indebtedness of the state on such short term loans exceed the sum of nineteen million three

hundred fifty thousand dollars ($19,350,000).

6. *Sale of Bonds or Notes.* All bonds or notes (except short term loans) issued under the provisions of this act shall be sold (1) at public sealed bidding (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire and in a financial publication of national circulation, the first publication being not less than thirty days prior to the day the bids will be received, and (3) to the highest bidder. The governor and council may reject any or all bids, and/or negotiate with the highest responsible bidder.

The proceeds from the sale of such bonds shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purpose of this act alone, and the governor, with the advice and consent of the council, shall draw his warrant for the payment from the funds provided by this act of all sums expended or due for the purposes herein authorized, provided, however, that such expenditure or commitments shall not exceed the sum of fifteen million dollars ($15,000,000) prior to July 1, 1955. All interest from such bonds shall be exempt from taxation within the state of New Hampshire.

7. *Tolls.* Tolls or charges, which with the approval of the governor and council, are deemed necessary and reasonable for the use of any part of said highway or any part of the right of way and other property acquired pursuant to the provisions hereof, shall be collected from persons operating motor vehicles thereon or otherwise making use of said right of way. The tolls collected shall be deposited with the state treasurer who shall keep the same in a separate account, and the operating expenses and maintenance of the turnpike shall be paid from said account. From the balance remaining after payment of operation and maintenance, the governor with the approval of the council, shall pay the interest and principal on the bonds issued hereunder. Fourteen days previous to the time said interest and principal is payable, the state treasurer shall examine the existing balance and if such balance is insufficient to make the payment, then he shall notify the governor who will immediately draw his warrant on the highway fund to cover any deficit and if the funds in both of the above accounts are insufficient the governor will draw his warrant upon the state's general fund to the amount necessary to meet

the payments. The full faith and credit of the state is pledged to the payment of the principal of and the interest on the bonds as they become due and payable. Any funds paid out from the state's general fund for the above purposes shall be reimbursed from the collection of tolls as soon as such funds are available. Any funds that have been or may be expended for the completion of the turnpike by the department of public works and highways shall be repaid to said department when, in the opinion of the governor and council, sufficient funds are available. Any excess income may be used for further turnpike extensions in accordance with section 1 (m) of this act. During the construction of the turnpike the governor may, if necessary, draw his warrant upon the highway fund to pay interest due on any bonds that have been issued in accordance with the provisions of this act; such payment is to be repaid to the highway fund from the collection of tolls.

8. *Definition.* Said turnpike shall be a limited access highway as defined in part 7, chapter 90 of the Revised Laws as amended by chapter 188, Laws of 1945, except that section 8 thereof shall not apply to service areas authorized under section 1 (h) or ducts, pipes, pipelines, poles, wires or other structures permitted under section 1 (g) of this act or to existing facilities on highways, not now restricted as to access, used as toll-free sections of the turnpike.

9. *Contracts for Construction.* All contracts for the construction of the highway hereunder shall be awarded to the lowest responsible bidder submitting a sealed bid after an advertisement calling for bids has been published at least once in each of two successive weeks in a newspaper in general circulation in New Hampshire. The first publication of such advertisement shall be not less than fourteen days prior to the date upon which bids are received. Contracts shall be awarded in accordance with section 13, part 9, chapter 5, Laws of 1950.

10. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, and with the amendment pending, the bill was referred to the Committee on Appropriations under the rules.

Mr. Wheeler of Keene for the Committee on Resources, Recreation and Development to whom was referred House Bill No. 75, An Act relative to payment of forest fire expenses

in unorganized places. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Unorganized Places.* Amend section 31 of chapter 233 of the Revised Laws by striking out all of said section and inserting in place thereof the following: 31. *Payment.* The expenses lawfully incurred by a warden or deputy warden in the prevention and extinguishment of forest and brush fires in unorganized places, computed at rates within limits established by the forestry and recreation commission and excluding the initial cost of fire fighting equipment, shall be paid in the first instance by the state. Any person causing or kindling a fire in an unorganized place without a permit from the forest fire warden or from the property owner, when such permit is required under section 35 of this chapter, and any person by whose negligence or the negligence of his agents any fires shall be caused, shall be liable to the stae in a civil action for the payment of all expenses incurred in extinguishing said fire. In the event that a fire results from unknown or natural causes, up to one-half of said costs, but in no case to exceed ten per cent of the assessed valuation of the property in said place, shall thereafter be added to the tax assessed the following year against said place in the same manner as is provided for the assessment of property taxes therein.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

On motion of Mr. English of Hancock, reading of the amendment was dispensed with.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Roeder of Belmont for the Committee on Resources, Recreation and Development to whom was referred House Bill No. 262, An Act authorizing an interestate compact relating to flood control of the Merrimack river. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 6.

Further amend by renumbering section 7 to read section 6.

The report was accepted, and the amendment adopted.

Special Order

On motion of Mr. Moore of Bradford, House Bill No. 262, was laid upon the table and made a Special Order of business for Tuesday, May 12 at 11:01 o'clock.

On motion of Mr. Ferguson of Pittsfield the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Ferguson of Pittsfield for the Committee on Appropriations to whom was referred House Bill No. 7, An Act providing for salaries of unclassified state officials, and establishing certain positions. Having considered the same, reported the same in new draft with the recommendation that the bill in its new draft be recommitted to the Committee on Appropriations.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

On motion of Mr. English of Hancock the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. English of Hancock for the Committee on Resources, Recreation and Development to whom was referred House Bill No. 336, An Act relative to development of tidal waters and harbors. Having considered the same, reported the same in new draft with the recommendation that the bill in its new draft be recommitted to the committee on Resources, Recreation and Development.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Resources, Recreation and Development.

Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolutions:

Whereas, Mr. Lewis K. Gough, National Commander of the American Legion, will make his official visitation to this State on May 27, and

Whereas, this great leader of the world's largest Veterans' Organization is recognized as a man of outstanding ability, therefore be it

Resolved, that he be and hereby is invited to address a joint assembly of the House and Senate at 11:01 A.M., on Wednesday, May 27, and his Excellency the Governor and Honorable Council be invited to participate.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 267, An Act relative to the support of children in divorce cases.

House Bill No. 268, An Act relative to neglected and delinquent children.

House Bill No. 319, An Act relating to powers of municipal courts in cities and certain towns.

House Bill No. 357, An Act relative to forest conservation and taxation.

The message also announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 335, An Act relative to reports of court expenditures, and county borrowing.

Amend section 2 of the bill by adding at the end thereof the words, to be considered by the said committee at their next regular meeting, so that said section as amended shall read as follows:

2. *County Borrowing.* Amend chapter 48 of the Revised Laws by inserting after section 8 the following new section: 8-a. *Additional Report.* Whenever application is made, under the provisions of section 8, for authority for a county treasurer to borrow money the county commissioners shall, prior to application for the approval of the superior court, forward a statement to the executive committee of the county

convention setting forth the reason for the request for said borrowing, to be considered by the said committee at their next regular meeting.

On motion of Mrs. Atwood of Sanbornton the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

Report of Special Committee

Report of the Special Committee on the Study of the Advisability and Feasibility of Adopting the Federal Social Security Plan for the Employees of the State of New Hampshire and its Political Subdivisions as printed in the appendix of the Journal for May 5th.

The report was accepted.

Resolution

Mr. Ecker of Manchester offered the following resolution:

Whereas, today, May 7, 1953 is the birthday of Alice P. Boutwell of Concord, Mileage Clerk for many sessions, therefore be it

Resolved, That we, the Members of the House of Representatives, hereby extend our congratulations to her and our best wishes for many more Happy Birthdays to come.

On a *viva voce* vote the resolution was adopted.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

Third Readings

House Bill No. 75, An Act relative to payment of forest fire expenses in unorganized places.

House Bill No. 143, An Act extending the appropriation for the so-called Children's Study Home.

House Bill No. 312, An Act providing for a revolving fund for use by the state technical institutes.

House Bill No. 344, An Act relating to the minimum wage law.

House Bill No. 432, An Act amending the unemployment compensation law.

House Bill No. 433, An Act relating to retirement benefits.

House Bill No. 435, An Act to establish a new apportionment for the assessment of public taxes.

Severally read a third time and passed and sent to the Senate for Concurrence.

Senate Bill No. 58, An Act relative to re-registration of pharmacists.

Senate Bill No. 76, An Act relative to definitions under pure food, drugs and cosmetic law.

Senate Bill No. 84, An Act relative to method of payment for clerk hire in the offices of registers of probate.

Senate Bill No. 87, An Act authorizing the Penacook and Boscawen Water precinct to issue notes or bonds for its water system.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Sadler of Portsmouth at 12:14 o'clock the House adjourned.

TUESDAY, MAY 12, 1953

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain Rev. Robert Wentworth, Pastor of Center Harbor Congregational Church, and Moultonborough Methodist Church.

Eternal God, Our Father, who art the creator and the ruler of the universe, and who art the help of those who voice their needs unto thee, we, who stand in thy presence, feel the weight of responsibility pressing upon us.

We need thee, O God. We need thy guidance in the deliberations of these days. May thy spirit communicate unto our minds, that we may be led rightly.

And we stand in need of courage, courage to act according to our highest convictions. May our trust in thee increase our courage, that we may be free from the nervous disorders caused by guilt or indecision, through Him who was the courageous leader of Galilee, Jesus Christ our Lord. *Amen.*

Joint Convention

The House and Senate being in Convention listened with gratification to the observance of Armed Forces Day.

On motion of Senator Graves of District No. 23 the Convention rose.

House

Leaves of Absence

Messrs. Clement of Rochester and Lamson of New London were granted leave of absence for the day on account of important business.

Mr. Clow of Wolfeborough was granted leave of absence for the day on account of death in the family.

Opinion of Justices of Supreme Court

To the House of Representatives:

The undersigned, the Justices of the Supreme Court, make answer to your resolution with reference to House Bill No. 250, entitled "An Act Relative to the License Fees of Milk Distributors," with amendment as adopted. House Journal, Wednesday April 29, 1953, pp. 6-9.

The distinction between excise or occupational taxes which are forbidden here (*Opinion of the Justices,* 95 N. H. 555 and authorities cited) and license fees which may be valid (*Marine Corps League* v. *Benoit,* 96 N. H. 423) is often difficult to determine because each partakes to some extent of the charactertisics of the other. Therefore, in order to decide into which category the proposed act falls, it is necessary to discover its basic purpose.

The proposed act would broaden the duties of the Milk Control Board to include promotion, through the activities of a proposed committee, of greater consumption of milk and its products "to the end that such consumption may be encouraged in the interests of public health." *S.* 1.

The license fees imposed on distributors under the present law (R. L., *c.* 196, *s.* 8) would be substantially increased (*s.* 2)

and the Board is authorized to pay to the committee "not exceeding sixty per cent of the gross income from licenses" (which would apparently approximate the yield attributable to the increases in fees) to be expended "in disseminating information concerning the use of milk in the interests of public health." *S.* 3.

There can be no quarrel with the proposition that the valid exercise of the police power extends to regulations for the protection of public health. *State* v. *Normand,* 76 N. H. 541; *Chung Mee* v. *Healy,* 86 N. H. 483, 484; *Cloutier* v. *Board,* 92 N. H. 199.

The declared purpose of the proposed act is to protect public health by the promotion of the sale of milk. This is not of itself an invalid purpose. See *Conway* v. *Water Resources Board,* 89 N. H. 346, 350. Validity of the bill, however, must be determined by its essential characteristics rather than its declared purpose. "A state law, although apparently for the protection of the public health, will be scrutinized as to its results in actual practice to ascertain its essential characteristics, and will not be upheld merely because of its declared purpose." *Opinion of the Justices,* 87 N. H. 496, 497. The declared purpose is to be accomplished through funds derived from increases in the license fees presently imposed upon milk distributors, a portion of which may be by them charged back to milk producers (*s.* 2). It is not proposed to impose a tax of general application in the nature of a sales tax (see *Opinion of the Justices,* 94 N. H. 506, 508) nor is there occasion for us to consider the validity of the proposed measure as such a tax, since there is clearly no purpose to regulate by a tax calculated to discourage the use of the product involved. *State* v. *Express Co.,* 60 N. H. 210, 258. See *State* v. *Roberts,* 74 N. H. 476, 478. *Cf. Havens* v. *Attorney General,* 91 N. H. 115. The purpose of the bill is quite the opposite of discouragement of consumption of the product which is the subject matter of the bill.

The burden of the measure would fall upon the milk distributor, as a license fee. It is well established that under our law that permissible license fees are those which "do not exceed the probable expense of issuing licenses and regulating the business." *Marine Corps League* v. *Benoit,* 96 N. H. 423, 426, and cases cited. See also, *Opinion of the Justices,* 88 N. H. 497, 499; *State* v. *Cox,* 91 N. H. 137, 144. While such fees are

not invalid merely because some surplus revenue is produced (*Opinion of the Justices,* 94 N. H. 501, 504), they must be incidental to regulation and not primarily for the purpose of producing revenue. *State* v. *Angelo,* 71 N. H. 224, 229; *State* v. *Cox, supra.*

The bill concerning which inquiry is now made itself plainly shows that fees are to be increased not primarily to pay the costs of regulation but to establish a fund for advertising. Regulation has been defined as "an exercise of control" (*Cloutier* v. *Board, supra,* 92 N. H. 199, 205), and the imposition of additional fees for the purpose of stimulating milk consumption is not in aid of regulation as the definition is understood.

In essence the bill discloses a purpose to utilize the powers of government to impose upon all distributors an obligation which could be self imposed only by unanimous consent of those concerned. If the increased fee is primarily for the benefit of those interested in the sale of milk, the bill is invalid because it seeks to use the powers of government for the purpose of imposing upon all concerned the will of some. *Opinion of the Justices,* 95 N. H. 555. If the increase in fees is primarily for the promotion of public health, it is invalid because it would impose a discriminatory tax, in excess of the cost of regulation, upon a select group rather than upon all who should bear the burden equally. *Opinion of the Justices,* 97 N. H. 546, 548. In the case of an act similar to the proposed bill, which was passed in the State of Maine to promote the potato industry and the "welfare" of the State (R. S. 1944, *c.* 14, *s.* 206), the Court said of the law, "It is an excise tax . . . and is clearly imposed as an excise tax." *State* v. *Vahlsing, Inc.,* 147 Me. 417, 420. We believe that the proposed legislation possesses essentially the characteristics of an excise or occupational tax and would, therefore, be unconstitutional. *Opinion of the Justices,* 95 N. H. 555, *supra,* and authorities cited.

FRANK R. KENISON
LAURENCE I. DUNCAN
AMOS N. BLANDIN, JR.
EDWARD J. LAMPRON
JOHN R. GOODNOW

May 12, 1953

Report of Committee on Engrossed Bills

Mrs. Corliss of Manchester and Mr. Hyde of Andover for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Joint Resolutions, Senate and House Bills:

House Joint Resolution No. 28, Joint Resolution in favor of the estate of James A. Robinson.

House Joint Resolution No. 30, Joint Resolution in favor of Reta May Mills.

Senate Bill No. 3, An Act relative to required equipment and licensing of bicycles.

Senate Bill No. 58, An Act relative to re-registration of pharmacists.

Senate Bill No. 64, An Act disannexing a certain homestead from the town of Colebrook and annexing the same to the place of Dixville for school purposes.

Senate Bill No. 76, An Act relative to definitions under pure food, drugs and cosmetic law.

Senate Bill No. 84, An Act relative to method of payment for clerk hire in the offices of registers of probate.

Senate Bill No. 87, An Act authorizing the Penacook and Boscawen water precinct to issue notes or bonds for its water system.

House Bill No. 22, An Act relative to the board of registration of hairdressers and licenses for the practice of hairdressing.

House Bill No. 99, An Act relating to powers and duties of trustees of the industrial school.

House Bill No. 203, An Act changing the name of Portsmouth Building and Loan Association of Portsmouth, New Hampshire to Portsmouth Co-operative Bank, and to change the name of Franklin Building and Loan Association.

House Bill No. 287, An Act relative to exemption from trustee process.

House Bill No. 335, An Act relative to reports of court expenditures, and county borrowing.

House Bill No. 372, An Act providing for additional duties for highway agents.

House Bill No. 408, An Act relative to class III recreational roads.

House Bill No. 48, An Act creating an interim commis-

sion to draft a home-rule chapter for the city of Manchester.

House Bill No. 50, An Act relative to deposits of money by credit unions in federal savings and loan associations.

House Bill No. 204, An Act relating to the powers of savings banks.

House Bill No. 267, An Act relative to the support of children in divorce cases.

House Bill No. 268, An Act relative to neglected and delinquent children.

House Bill No. 298, An Act relative to bounties on porcupines.

House Bill No. 315, An Act relative to mortuary regulations.

House Bill No. 319, An Act relating to powers of municipal courts in cities and certain towns.

House Bill No. 357, An Act relative to forest conservation and taxation.

Senate Bill No. 51, An Act relating to registration and license fees; penalties, etc.

The report was accepted.

Committee Reports

Mr. Faulkner of Keene for the Committee on Judiciary to whom was referred House Bill No. 370, An Act relative to annual fees for business corporations. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Green of Rollinsford for the Committee on Public Health to whom was referred Senate Bill No. 42, An Act relative to the licensing of practical nurses. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Ashley of Lebanon for the Committee on Ways and Means to whom was referred House Bill No. 108, An Act to substitute for the tax on stock in trade a tax on net profits

of manufacturers and merchants. Having considered the same, reported the same with the following resolution:

Resolved, That subject matter be referred to the Legislative Council.

The report was accepted and the recommendation of the Committee adopted.

Miss Loizeaux of Plymouth for the Special Committee consisting of the delegation from the county of Grafton to whom was referred House Bill No. 162, An Act relating to probate and superior courts in the County of Grafton. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fuller of Plymouth for the Special Committee consisting of the delegation from the county of Grafton to whom was referred House Bill No. 331, An Act dividing Grafton county into commissioner districts. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Taken from the Table Under Rule 48

House Bill No. 29, An Act relative to retirement age for state employees.

The question being on the amendment. As printed in Journal of Wednesday, May 6.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Rathbone of Exeter for the Committee on Ways and Means to whom was referred House Bill No. 89, An Act relating to the taxation of personal estate. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Hayes of Concord moved to substitute the words

"ought to pass" for the report of the committee, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion Ensued)

Messrs. Hayes of Concord, and Sweeney of Keene, and Mrs. St. Pierre of Rochester spoke in favor of the motion.

Messrs. Malley of Somersworth and Ashley of Lebanon spoke against the motion.

Mr. Hart of Laconia moved the previous question.

The question being.

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

On a *viva voce* vote the motion did not prevail.

The question being on the resolution of the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution of the Committee was adopted.

Mr. Fuller of Hanover for the Special Committee consisting of the delegation from the county of Grafton to whom was referred Senate Bill No. 40, An Act relative to the salary of the treasurer of Grafton county. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 of the bill by inserting after the figures "1949" in the fourth line the words and figures, and by chapters 108 and 122 of the Laws of 1953; and by striking out in the eighth line the words, "eighteen hundred" and inserting in place thereof the words, twenty-two hundred, and by striking out in the thirteenth line the words "twenty-eight" and inserting in place thereof the words, thirty-three, so that said section as amended shall read as follows:

2. *Grafton County Solicitor.* Amend section 20 of chapter 24 of the Revised Laws as amended by chapters 40 and 136, Laws of 1943, by chapters 2, 27, 202, 213, 242, 263, 268 and 270 of the Laws of 1947, and by chapter 183, Laws of 1949 and by chapters 108 and 122 of the Laws of 1953, by striking out the word "eighteen" in the eleventh line and inserting in place thereof the word, twenty-four, so that said section as amended

shall read as follows: 20. *Salaries.* The annual salaries of the solicitors in the several counties shall be as follows:

In Rockingham, twenty-two hundred dollars.
In Strafford, eighteen hundred dollars.
In Belknap, fifteen hundred dollars.
In Carroll, twelve hundred dollars.
In Merrimack, two thousand dollars.
In Hillsborough, thirty-three hundred dollars.
In Cheshire, fifteen hundred dollars.
In Sullivan, fifteen hundred dollars.
In Grafton, twenty-four hundred dollars.
In Coos, eighteen hundred dollars.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Special Order

Mr. Moore of Bradford called for the Special Order, it being House Bill No. 262, An Act authorizing an interstate compact relating to flood control of the Merrimack river.

The question being: Shall the bill be ordered to a third reading?

The bill was referred to the Committee on Appropriations under the rules.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 180, An Act relating to the salaries of the justice, special justice and clerk of the municipal court of Manchester, and the President appointed as members of such a committee on the part of the Senate Senators Packard and Daniel.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

House Bill No. 99, An Act relating to powers and duties of trustees of the Industrial School.

House Bill No. 287, An Act relative to exemption from trustee process.

House Bill No. 372, An Act providing for additional duties for highway agents.

House Bill No. 408, An Act relative to Class III recreational roads.

House Joint Resolution No. 28, Joint Resolution in favor of James A. Robinson.

House Joint Resolution No. 30, Joint Resolution in favor of Reta May Mills.

The message further announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 273, An Act to provide for the installation of windshields, tops, and head and rear lights on track motor cars operated by railroads.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act to provide for the installation of head and rear lights on track motor cars operated by railroads.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Track Motor Cars.* Amend chapter 299 of the Revised Laws as inserted by section 58, chapter 203, Laws of 1951, by inserting after section 1 the following new sections:

1-a. *Required Equipment.* Every person, firm or corporation operating or controlling any railroad running through or within the state shall equip each of its track motor cars used during the period from thirty minutes before sunset to thirty minutes after sunrise, with an electric headlight of such construction and with sufficient candlepower to render plainly visible at a distance of not less than three hundred feet in advance of such track motor car, any track obstruction, landmark, warning sign or grade crossing, and further shall equip such track motor car with a red rear electric light of such construction and with sufficient candlepower as to be plainly visible at a distance of 300 feet.

1-b. *Penalty.* Any person, firm or corporation operating

or controlling any railroad running through or within this state using or permitting to be used on its line in this state a track motor car in violation of the provisions of the preceding section shall be liable to a penalty of one hundred dollars for each violation, to be recovered in a suit or suits to be brought by the county solicitor in the superior court of the county having jurisdiction in the locality where such violation occurred. Upon duly verified information being given him of such violation, such prosecuting attorney shall bring such suits.

On motion of Mr. Brosnahan of Nashua the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 227, An Act relative to residential requirements and registration of voters.

Amend section 9 of the bill by striking out in lines 17 and 18 after the word agent, the words "within a period of ten days next preceding said primary" and substitute therefor the words, later than the second Friday preceding the primary, so that said section shall read as follows:

9. *Filing Date.* Amend section 25 of chapter 42 of the Revised Laws by striking out said section and inserting in place thereof the following: 25. *Paid Agents.* Every person who shall perform any service as political agent for any candidate during any primary campaign, who is to receive compensation above traveling expenses, shall, before he enters upon the performance of his duties as political agent, register his intention so to do with the secretary of state upon blanks to be furnished by the secretary of state for that purpose. Not later than the Friday preceding the primary and also not later than the second Friday after the primary in which said agent shall be employed, he shall file with the secretary of state an itemized statement, signed and sworn to by himself, of all money or things of value received by him or due to him from any candidate or committee in connection with his service, and disclose in the pre-primary return the substantial provisions of all contracts he may have for the rendering of future service in the campaign. No contract for service as political agent in connection with any primary shall be made by any person as such agent later than the second Friday preceding the primary.

On motion of Mr. Moore of Bradford the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that:

The Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 82, An Act relative to maintenance of certain covered bridges.

Senate Bill No. 93, An Act amending the charter of the New Hampshire Centennial Home for the Aged.

Senate Bill No. 94, An Act relating to guardians' licenses to sell chattels.

Senate Bills Read and Referred

The following bills were severally introduced, read a first and second time and referred as follows:

Senate Bill No. 82, An Act relative to maintenance of certain covered bridges. To the Committee on Public Works.

Senate Bill No. 93, An Act amending the charter of the New Hampshire Centennial Home for the Aged. To the Committee on Executive Departments and Administration.

Senate Bill No. 94, An Act relating to guardians' licenses to sell chattels. To the Committee on Judiciary.

Resolution

Mrs. Boutain of Northumberland offered the following resolution.

Whereas, Today May 12, 1953, is the 35th wedding anniversary of Eleanor R. Hayes, Representative from Northumberland, therefore be it

Resolved, That we, the Members of the House of Representatives, hereby extend to our fellow member our congratulations on this happy occasion and our best wishes for many more to come.

On a *viva voce* vote the resolution was adopted.

Concurrent Resolution

Mr. Faulkner of Keene offered the following concurrent resolution:

Be it resolved, by the House of Representatives, the Senate concurring

That the study of the advisability and feasibility of adopting the Federal Social Security Plan for employees of the State of New Hampshire and its political subdivisions conducted by the special joint legislative committee and reported in the House Journal for May 5, 1953 be referred to the Legislative Council for further consideration following adjournment of the 1953 session of the General Court. The Council shall report its findings and make its recommendations including the proposed legislation, if any, to the 1955 session of the General Court.

On a *viva voce* vote the concurrent resolution was adopted.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles only.

Third Readings

House Bill No. 29, An Act relative to retirement age for state employees.

Read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 40, An Act relative to the salary of the treasurer of Grafton county.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

Senate Bill No. 42, An Act relative to the licensing of practical nurses.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Saltmarsh of Concord at 1:37 o'clock the House adjourned.

WEDNESDAY, MAY 13, 1953

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, The Rev. Ronald A. Mosley, Minister, The Federated Church, Marlboro, New Hampshire.

Almighty God, the Father of all men, the Source of all life and power, all Understanding and Wisdom, we beseech Thee to make us men and women of good will and peace. Give us a firm resolve and steadfast determination to serve Thee and our fellow men and the cause of righteousness and goodness through the enactment of good laws, swift dispatch of business, deep meditation on primary principles, and a steady reliance on Thee and Thy Will. Give us such a concern that we may put love of state and country before any personal consideration that would influence us to act selfishly.

Help us to defend our liberties and preserve our unity. May we be worthy of this great nation and those who gave much to make our state a place of peace and concord. Save us from violence, discord, and confusion. Look with favor upon these Thy people, O Lord. Guide and direct the Governor of New Hampshire, the leaders of the legislature, and all those who are in government.

Bring justice, harmony, and international righteousness to triumph using us as instruments of Thy Will. Help us to do all that we can to bring a true and Christian peace to the world. We ask this prayer in the Name of our Lord Jesus Christ. *Amen.*

Leaves of Absence

Mr. Mafera of Raymond was granted leave of absence for Wednesday and Thursday on account of important business.

Mr. Chamberlin of Bath was granted a leave of absence for the week on account of important business.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Rules Committee (Mr. Pillsbury of Manchester) House Bill No. 446, An Act relative to transfer of certain inmates of

Laconia State School. To the Committee on Public Welfare and State Institutions.

By Mr. Danforth of Manchester, House Bill No. 447, An Act relative to the tax on tobacco products. To the Committee on Ways and Means.

Report of Committee on Engrossed Bills

Mrs. Mahoney of Concord for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled Senate Bill:

Senate Bill No. 33, An Act relating to joint accounts and distribution thereof.

House Bill No. 273, An Act to provide for the installation of head and rear lights on track motor cars operated by railroads.

The report was accepted.

Committee Reports

Miss Loizeaux of Plymouth for the Committee on Appropriations to whom was referred Senate Bill No. 41, An Act relative to compensation for members of the chiropractic board. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

The Committee on Appropriations to whom was referred Senate Bill No. 61, An Act providing for the construction of housing facilities for students and faculty at the University of New Hampshire. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Swain of Barrington for the Committee on Education to whom was referred House Bill No. 219, An Act relative to the state share of the salaries of superintendents of supervisory unions. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *State Board of Education.* Amend paragraph XXII of section 11, chapter 134, Revised Laws, by striking out said paragraph and inserting in place thereof the following: XXII. *Superintendents.* Upon consultation with the local school boards in each supervisory union, and upon the nomination of said school boards of a suitable and competent person, employ such person as superintendent. It may employ by the same method one or more assistant superintendents or helping teachers when that is reasonably necessary, and may remove a superintendent or assistant superintendent or helping teacher when the interests of the schools require it.

2. *School Superintendents.* Amend paragraph XXIII, section 11, chapter 134 of the Revised Laws, as amended by chapter 200 of the Laws of 1945 and chapter 243 of the Laws of 1947, by striking out said paragraph and inserting in place thereof the following: XXIII. *Salaries.* Fix the state's share of the salary or salaries of the superintendent, assistant superintendent, and approved helping teacher for supervisory unions in such manner that financial support to supervisory unions shall recognize the element of financial need to the end that the supervisory and administrative services to public education shall be on a more equitable and efficient basis; provided, however, that the total amounts so fixed in any one fiscal year shall not exceed the amount available to the state for this purpose from school districts under the provisions of section 12, chapter 138, of the Revised Laws, and the amounts received under the provisions of said section 12 shall be maintained in a special fund by the state treasurer and be used for no other purpose than the salaries of superintendents, assistant superintendents and helping teachers for supervisory unions. For the purpose of this paragraph the state's share of the superintendents' annual salary shall be fixed so that each of the amounts so fixed shall vary with specifically designated ranges of adjusted valuations as listed in the following table:

State's Share of Superintendent's Salary	Range of the Latest Adjusted Valuation Per Union
$4,500.00	0 - $4,599,999
$4,250.00	$4,600,000 - $5,599,999
$4,000.00	$5,600,000 - $6,599,999
$3,750.00	$6,600,000 - $7,599,999

$3,500.00	$7,600,000 - $8,599,999
$3,250.00	$8,600,000 - $9,599,999
$3,000.00	$9,600,000 - 10,599,999
$2,750.00	10,600,000 - 11,599,999
$2,500.00	11,600,000 - and over

The state's share of the annual salaries of any assistant superintendent or helping teacher shall be fixed at twenty five hundred dollars per year.

3. *Definition.* Amend section 11 of chapter 134, Revised Laws, by inserting after paragraph XXIII the following new paragraph: XXIII-a. Helping teacher, as referred to in paragraph XXIII, is defined as a teacher with specific training and experience which will enable her, or him, to give helpful advice, counsel, and assistance to teachers, pupils and parents of a school system as a constructive means of improving the educational growth and development of children, solving pupil problems of retardation and maladjustment, adopting the program of studies to meet the needs of the children and the community, bringing resources outside of the school to classroom teachers, pupils, parents and community, and in general acting as a consultant to the entire staff and community in the recognition of the educational needs.

4. *Supervisory Unions.* Amend chapter 135, Revised Laws, by adding at the end thereof the following new section: 48. *Reports.* Each superintendent of a supervisory union shall annually prepare a report showing the total salary paid to the superintendent, which report shall show in detail the amount derived from the per capita tax and the amount paid directly by each school district in the union. Said report shall be filed with the school board of each school district involved and shall be included in the annual report of the respective school district as a separate entry. A like report and entry shall be made for each assistant superintendent and each helping teacher, if any is in service in the union.

5. *Takes Effect.* This act shall take effect as of July 1, 1953.

The report was accepted, the amendments adopted and the bill was referred to the Committee on Appropriations under the rules.

Mr. Hepworth of Derry for the Committee on Executive Departments and Administration to whom was referred House

Bill No. 244, An Act relative to town records, personal property mortgages. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Town Clerks.* Amend chapter 59 of the Revised Laws by inserting after section 9 a new section as follows: 9-a. *Fees.* Town clerks shall be entitled to a minimum fee of one dollar for recording a bill of conditional sale, a personal property mortgage or for a copy of any public records in his custody except copies of vital statistics; for recording writs of attachment, discharging a mortgage on the margin of a record or for recording an assignment thereof, the minimum fee shall be fifty cents.

Further amend the bill by inserting a new section as follows:

2. *Registers of Deeds.* Amend section 15 of chapter 49 of the Revised Laws by striking out in the first line the words "town clerks" so that said section as amended shall read as follows: 15. *Fees.* Registers of deeds and all other recording and certifying officers, except as otherwise specially provided, shall be entitled to the following fees:

For recording or copying each page of two hundred and twenty-four words, thirty cents; provided that if the deed or other paper contains the names of more than two parties thereto other than the husband or wife of the grantor or grantee, an additional fee of twenty cents each shall be charged for indexing the names of additional grantors or grantees or other parties thereto.

For every certificate, fifteen cents; for examining the records at the request of any person, one dollar for each hour spent therein; for discharging a mortgage on the margin of the record, or for recording an assignment thereof, fifty cents.

Further amend the bill by renumbering section 2 to read section 3.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Bennett of Keene for the Committee on Executive Departments and Administration to whom was referred House Bill No. 283, An Act to provide for the purchase of food sup-

plies by the director of purchase and property without competitive bids. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Reed of Goffstown for the Committee on Executive Departments and Administration to whom was referred House Joint Resolution No. 44, Joint Resolution relative to a study of the problems connected with aged persons. Having considered the same, reported the same with the following Resolution:

Resolved, that it be referred to the Legislative Council.

The report was accepted and the recommendation of the Committee adopted.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred Senate Bill No. 56, An Act repealing the provisions for open season for the taking of beaver. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Longchamps of Littleton moved that the words "ought to pass" be substituted for the resolution of the Committee that it is inexpedient to legislate.

The question being on the motion to substitute.

(Discussion Ensued)

Mr. Longchamps of Littleton spoke in favor of the motion.

Messrs. Washburn of Bartlett and Metcalf of Tilton spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the resolution of the Committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Metcalf of Tilton for the Committee on Fish and Game to whom was referred Senate Bill No. 62, An Act rela-

tive to licenses to hunt. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Longchamps of Littleton moved that the bill be laid upon the table and made a Special Order for Tuesday, May 19 at 11:01 o'clock.

The question being on the motion.

(Discussion Ensued)

Mr. Longchamps of Littleton spoke in favor of the motion.

Messrs. Bartlett of Washburn, and Metcalf of Tilton spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Longchamps of Littleton moved that the words "ought to pass" be substituted for the resolution of the Committee "inexpedient to legislate."

(Discussion Ensued)

Messrs. Longchamps of Littleton, Carr af Orford, and Burnham of Alstead and Mrs. Brungot of Berlin spoke in favor of the motion.

Messrs. Fernald of Rochester, Brown of Loudon, Gardner of Littleton and Kearns of Manchester spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail.

Mr. Longchamps of Littleton asked for a division.

A division being had the Speaker declared the vote to be manifestly in the negative, and the motion to substitute did not prevail.

The question being on the resolution of the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mrs. Frizzell of Charlestown for the Committee on Judiciary to whom was referred Senate Bill No. 86, An Act relating to the transfer of public utility property. Having considered the

same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Maxham of Concord for the Committee on Public Welfare and State Institutions to whom was referred Senate Bill No. 20, An Act relating to the settlement of patients at nursing and convalescent homes. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Whittier of Bethlehem for the Committee on Transportation to whom was referred House Bill No. 158, An Act relating to the registration of pleasure-car type motor vehicles. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Pleasure Cars.* Amend section 1 of chapter 118 of the Revised Laws as amended by chapters 48 of the Laws of 1945, section 2, chapter 107, section 7, chapter 177 and section 1, chapter 273 of the Laws of 1947 by inserting after paragraph II the following new paragraph: II-a. For every motor vehicle of the pleasure-car type not used commercially, the following rates based on the gross weight of the vehicle and load: All such vehicles and load not exceeding thirty-five hundred pounds, eleven dollars and fifty cents; exceeding thirty-five hundred and not exceeding forty-two hundred pounds, fifteen dollars and fifty cents; exceeding forty-two hundred and not exceeding five thousand pounds, nineteen dollars and fifty cents; exceeding five thousand and not exceeding six thousand pounds, twenty-four dollars and fifty cents; exceeding six thousand and not exceeding eight thousand pounds, fifty cents per hundred pounds; exceeding eight thousand pounds, sixty cents per hundred pounds.

The report was accepted, the amendment laid upon the table to be printed under rule 48.

Taken from the Table

House Bill No. 382, An Act to provide for absentees voting at primaries.

The question being on the amendment as printed in the Journal of May 7.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

House Bill No. 423, An Act providing for a salary increase for classified state employees.

The question being on the amendment, as printed in the Journal of May 7.

On a *viva voce* vote the amendment was adopted.

Mr. Angus of Claremont offered the following amendment.

Amend Section 1 of House Bill No. 423 as amended by striking out the second sentence of said section and inserting in place thereof the following: The salaries of all classified employees, including those who may be receiving temporary rates in excess of their respective salary scales, shall be increased as provided in this section.

The question being on the amendment.

(Discussion Ensued)

Mr. Angus of Claremont spoke in favor of the amendment.

Messrs. McMeekin of Haverhill, Pillsbury of Manchester, and Scamman of Strafford spoke against the amendment.

Mr. Baron of Claremont moved that the bill be recommitted to the Committee on Appropriations.

The question being on the motion to recommit.

(Discussion Ensued)

Messrs. Baron and Angus of Claremont, and Kearns of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion to recommit prevailed.

Mr. Foote of Portsmouth for the Committee on Liquor Laws to whom was referred House Bill No. 105, An Act relating to sale of wine in restaurants. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relating to sale of wine and liquor in resturants.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Restaurants.* Amend chapter 170 of the Revised Laws by inserting after section 19 the following new section: 19-a. *Licenses.* The commissioners may issue a license to any first class restaurant in any city or town provided such restaurant also holds a permit as provided in section 59 and further provided that the city or town where said restaurant is located has voted to permit the issuance of permits therein by the liquor commission. The determination of what is a first-class restaurant is to be within the discretion of the commission. Said license shall entitle the licensee to sell liquor by the glass and fortified wines by the glass, or bottle if uncorked, to be consumed only in the regular dining room of such restaurant with meals. Such licenses shall expire May thirty-first unless sooner suspended or revoked for cause. The commission may also issue part-time licenses to summer restaurants under the provisions hereof. The fees for licenses issued under the provisions of this section shall be determined by the commission upon the volume or probable volume of business of the licensee, provided that the fees for the full time licenses hereunder shall not be less than one hundred nor more than three hundred dollars per annum, and the fees for part-time restaurant licenses shall not be less than fifty dollars nor more than three hundred dollars per annum.

The undersigned, a minority of the Committee on Liquor Laws to whom was referred House Bill No. 105, An Act relating to sale of wine in restaurants. Having considered the same, and being unable to agree with the majority, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

ALFRED W. POORE
JOHN H. YEATON
HARRY S. ALLS
DAVID DEANS, JR.
A Minority of the Committee

The reports were accepted.

Mr. Deans of Milford moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion Ensued)

Messrs. Deans of Milford, Reed of Goffstown, Eldredge of Exeter, Brown of Loudon, Rainie of Concord, and Powell of Sutton and Mrs. Frizzell of Charlestown spoke in favor of the motion.

Messrs. Comi of Concord, Gauthier of Manchester, Black of Bennington, Plumer of Bristol, Brown of Laconia and Waling of Keene spoke against the motion.

Mr. Roeder of Belmont moved the previous question.

The question being:

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

Mr. Wheeler of Keene demanded the yeas and nays and the roll was called with the following result:

Roll Call

Yeas — 181

CHESHIRE COUNTY: Burnham, Maynard of Fitzwilliam, Malony, Clark of Harrisville, Spofford, Kirk, Landers, Wheeler, Bennett, Heald, Codding, Blake, Kershaw, Billings, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Frizzell, Converse, Firestone, Millar, Baron, Davis of Cornish, Smith of Langdon, Wirkkala, Perry, Roe, Vaughan, DeLude.

GRAFTON COUNTY: Eggleston, Williams, Atkins, Fuller, Hayward, Holden of Hanover, Sleeper, Adams of Lebanon, Cole, Martin, Howard, Bell of Plymouth, Loizeaux, Horner, Anderson, Woodward.

COOS COUNTY: Alls, Emerson, Simonds, Hayes, Hilliard, Weeks of Stewartstown, Taylor.

ROCKINGHAM COUNTY: Brock, Griffin of Auburn, Clark of Derry, Hepworth, Ladd, Eldredge, Rathbone, Richards, Jones of Fremont, Weeks of Greenland, Spollett, Merrill of Hampton, Thurlow, Eastman of Kensington, MacDonald,

Parmenter, McCaffrey, Wells, Carter, McDaniel, Seel, Foote, Yeaton, Wardwell, Smart, Ingraham, Philbrick, Haigh, Noyes, Peever, Scamman.

STRAFFORD COUNTY: Swain, Leighton, Grimes, Fellows, Webb, Crandall, Locke of Dover, Funkhouser, Stearns, Blanchard, Wormhood, Nehring, Rolfe, Maxfield, Nelson, St. Pierre, Studley, Clement, Fernald, Green of Rollinsford, Brown of Strafford.

BELKNAP COUNTY: Roeder, Nichols, Robertson, Stafford, Tilton of Laconia, Burbank, Varrell, Kipp, Smith of Meredith, Atwood, Metcalf of Tilton.

CARROLL COUNTY: Washburn, Downs, Mudgett, Gale, Hodge, Nickerson, Hodgdon, Peaslee of Wakefield, Ford.

MERRIMACK COUNTY: Holmes of Boscawen, Flanders, Moore, Vogel, Marden, Tebbetts, Otis, Lessels, Jewett, Rainie of Concord, Saltmarsh, Bunten, Cilley, Maxham, Walker of Concord, Mahoney, Sargent, Nutter, Douphinette, Leonard, Patenaude, Davis of Hopkinton, Brown of Loudon, Wilman, Ferguson, Powell, Youmans.

HILLSBOROUGH COUNTY: Holmes of Amherst, Robinson, Wiggin, Farwell, Hambleton, Jennings, Poore, Reed of Goffstown, Fortin, Goodwin of Hollis, Reid of Litchfield, Warren, Corliss, Pillsbury, Martel, Kean, Callahan, Peaslee of Merrimack, Deans, Falconer, Wadleigh, Cooper, Ramsdell, Brosnahan, Chartrain, Ryan, Dumais, Locke of New Boston, Thompson of New Ipswich, Cummings, Dutton.

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CHESHIRE COUNTY: Smith of Hinsdale, Belletete, Haley, Sweeney, Faulkner, Barton, Waling, Sherwin, Lang of Troy, Killeen, Rhodes.

SULLIVAN COUNTY: Angus, Nahil, Marcotte of Claremont, Stone, Holden of Newport, Metcalf of Springfield, Gamsby.

GRAFTON COUNTY: Gingras, Whittier, Plumer, Willey, Brown of Easton, Peabody, McMeekin, Ashley, Jones, Fred of Lebanon, Jones, Victor of Lebanon, Perley, Griffin of Lincoln, Fox, Gardner of Littleton, Longchamps, Dixon, Carr, Barney, Sawyer.

COOS COUNTY: Dussault, Hinchey, Henderson, Sheridan, Brungot, Bouchard, Fontaine, Theriault, Oakes, Robinson, Ross, Kimball of Jefferson, Boutain.

ROCKINGHAM COUNTY: Dudley, Wastcoat, Barka, Eastman of Exeter, Sheehy, Labranche, Sewall, Pinkham, Barrett, Payette, Murch, Joyce, Leary, Waterhouse.

STRAFFORD COUNTY: Chase, Keenan, Marcotte of Dover, Flanagan, Carignan, Lacasse, Lagueux, Letourneau, Charpentier, Malley.

BELKNAP COUNTY: Gardner of Gilford, Hart, Morin, Simoneau, Karagianis, Brown of Laconia.

CARROLL COUNTY: Morey, Kimball of Moultonborough, Diffenderfer.

MERRIMACK COUNTY: Dodge, Ferrin, Hayes, Corbett, Comi, Nawn, Mendenhall, Broadhurst, Burke, Thompson of Franklin, Dudevoir, Mulaire, Lamson.

HILLSBOROUGH COUNTY: Black, Adams of Greenfield, Abbott, Spaulding, Lang of Manchester, Saidel, Cain, Danforth, Geisel, Robb, Connor, Horan, Sullivan, Fitzgerald, Nolan, Betley, Healy of Manchester, ward 5, Hurley, Casey, Clancy, Healy of Manchester, ward 6, Ecker, Paradis, Tessier, Constant, Delisle, Auger, Bergeron, Kearns, O'Neil, McCarthy, Roche, Attalla, Lareau, Soucy of Manchester, ward 12, Dupont, Gauthier, Lesmerises, Thibodeau, Cannon, Donnelly, Colburn, Boire, Temple, Belcourt, Morrissette, Ayers, Maynard of Nashua, Pappagianis, Dionne, Shea of Neshua, Dugas, Dutilly, Grandmaison, Bouthillier, Barry.

Mr. Carlton of Marlborough voting YES paired with Mr. Soucy of Ward 1, Manchester voting NO.

Mr. Potter of Milan voting YES paired with Mrs. Christiansen of Berlin voting NO.

Mr. Stinson of Stratford voting YES paired with Mr. Baron of Allenstown voting NO.

Mr. Matthews of New Hampton voting YES paired with Mr. Goodwin of Hudson voting NO.

Mr. Benson of Conway voting YES paired with Mr. Lyons of Manchester voting NO.

Mr. Hyde of Andover voting YES paired with Mr. Vaillancourt of Manchester voting NO.

Mr. Thibeault of Pembroke voting YES paired with Mr. Payeur of Pembroke voting NO.

Mr. McAllister of Barnstead voting YES paired with Mr. Langlois of Manchester voting NO.

And the motion to indefinitely postpone prevailed.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 429, An Act abolishing the so-called sinking fund and relative to state financing.

House Bill No. 431, An Act relating to the appropriation for Timber Tax Reimbursement Fund.

The message further announced that:

The Senate had voted to concur with the House of Representatives in its amendments to the following entitled bills:

Senate Bill No. 30, An Act relating to investment of excess funds by building and loan associations.

Senate Bill No. 31, An Act relating to shares of building and loan association.

Senate Bill No. 32, An Act relating to borrowings by real estate loans and reserves of Building & Loan Associations.

The message further announced that:

The Senate had voted to recall from the Governor for further consideration the following:

House Bill No. 99, An Act relating to powers and duties of trustees of the Industrial School.

The message also announced that:

The Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 44, An Act relative to primary elections and state conventions.

Senate Bill Read and Referred

Senate Bill No. 44, An Act relative to primary elections and state conventions.

Read a first and second time and referred to the Committee on Judiciary.

Taken from the Table

On motion of Miss Spollett of Hampstead House Bill No.

250, An Act Relative to the License Fees of Milk Distributors was taken from the table.

Miss Spollett of Hampstead moved that House Bill No. 250, be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion Ensued)

Mrs. Brungot of Berlin spoke in favor of the motion.

On a *viva voce* vote the motion to indefinitely postpone prevailed.

Resolutions

Mr. Kershaw of Swanzey, for the Cheshire County Delegation offered the following resolution.

Whereas, we have learned of the death of Winfred C. Burbank of Winchester, former member of the House of Representatives for six years, former Senator from the 11th district and former County Commissioner of Cheshire County for seven terms, therefore be it

Resolved, that we, the members of the House of Representatives, hereby pay tribute to his services to his town, county and state and express our heartfelt sympathy to the family of our former member in its bereavement, and be it further

Resolved, that the Clerk of the House transmit a copy of these Resolutions to Mrs. Burbank.

On a *viva voce* vote the resolution was adopted.

Mrs. Hayward of Hanover offered the following resolution.

Whereas, Tuesday, May 12, 1953 was the birthday of Edith P. Atkins, Representative from Hanover, therefore be it

Resolved, That we, the Members of the House of Representatives, hereby extend our belated congratulations and our best wishes for many more Happy Birthdays to come.

On a *viva voce* vote the resolution was adopted.

Concurrent Resolution

Mr. Sweeney of Keene offered the following Concurrent Resolution:

Be it resolved by the House of Representatives, the Senate concurring:

Whereas, the General Court has learned that the City

of Keene is celebrating its 200th birthday this year, and

Whereas, the citizens of Keene are sparing no expense to make this birthday celebration an outstanding event in the history of Keene, and

Whereas, the honorable Mayor and members of the City Government send kind invitations to the members of the General Court, be it hereby

Resolved that the House of Representatives and honorable Senate convene to extend to the citizens of Keene congratulations and best wishes for a successful celebration, and be it further

Resolved that the membership of the General Court accept the kind invitation to be present and visit their fellow New Hampshire citizens during the week of June 28-July 4th, 1953.

On a *viva voce* vote the concurrent resolution was adopted.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles only.

Third Readings

House Bill No. 244, An Act relative to town records, personal property mortgages.

House Bill No. 382, An Act to provide for absentees voting at primaries.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 20, An Act relating to the settlement of patients at nursing and convalescent homes.

Senate Bill No. 41, An Act relative to compensation for members of the chiropractic board.

Senate Bill No. 86, An Act relating to the transfer of public utility property.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Richards of Exeter at 2:02 o'clock the House adjourned.

THURSDAY, MAY 14, 1953

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O Lord God of Hosts, who art concerned about all Thy creatures wherever they may be found, and yet art concerned about each of us as if we were an only child. Thou knowest Lord how difficult it is for us to listen to Thy voice — Thy voice alone, amid the clamor of voices in our ears as we endeavor to legislate for the good of our state. We hear the blatant voices of aggressive pressure groups, we hear the voices of selfish men, perfectly thoughtless of the best interest of the commonwealth, pleading for their own personal and material interest. Amid the din of these voices that would pretend to direct us, give us time, our Lord, to listen to Thy voice, speaking to our better manhood and womanhood, make us conscious of the fact that if we do this, we shall best perform the task of serving those who have sent us to this General Court and, at the same time enjoy the satisfaction of knowing we have done Thy will. *Amen*

Leaves of Absence

Messrs. Holden of Newington, Pillsbury of Manchester, Roeder of Belmont, and Howe of Claremont were granted leave of absence for the day on account of important business.

Introduction of a Joint Resolution

The following Joint Resolution was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Rules Committee (Mrs. Otis of Concord) House Joint Resolution No. 53, Joint Resolution in favor of Lloyd V. Sawyer of Concord, New Hampshire. To the Committee on Executive Departments and Administration.

Printing Dispensed With

On motion of Mrs. Otis of Concord the rules were so far suspended as to dispense with the printing of House Joint Resolution No. 53.

Report of Committee on Engrossed Bills

Mrs. Landers of Keene for the Committee on Engrossed

Bills reported that they had examined and found correctly engrossed the following entitled House Joint Resolutions, Senate and House Bills:

House Joint Resolution No. 50, Joint Resolution in favor of the departmen of the adjutant general.

House Joint Resolution No. 51, Joint Resolution providing for granting of special citations to state employees for suggestions for improvement of state service.

Senate Bill No. 30, An Act relating to investment of excess funds by building and loan associations.

Senate Bill No. 31, An Act relating to shares of building and loan associations.

Senate Bill No. 42, An Act relative to the licensing of practical nurses.

House Bill No. 153, An Act to provide for an additional justice of the superior court.

House Bill No. 429, An Act abolishing the so-called sinking fund and relative to state financing.

House Bill No. 431, An Act relating to the appropriation for timber tax reimbursement fund.

The report was accepted.

Mr. Hyde of Andover for the Committee on Engrossed Bills to whom was referred Senate Bill No. 88, An Act relative to fishing in upper Connecticut River. Having considered the same, reported the same under Joint rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to fishing in upper Connecticut river and to closed seasons for taking crayfish.

Amend said bill by striking out sections 3 and inserting in place thereof the following: 3. *Rules and Regulations of the Director.* Amend chapter 240 of the Revised Laws by inserting after section 14 the following new section: 14-a. *Crayfish.* The director shall have the power and authority to close any body of water to the taking of crayfish, for any length of time he may deem necessary, and when in his opinion such action may be necessary for the protection of the crayfish population in such body of water.

On motion of Mr. Washburn of Bartlett the House adopted the amendments proposed by the committee on engrossed bill.

The bill was then sent to the Senate for concurrence.

Mr. Hyde of Andover for the Committee on Engrossed Bills to whom was referred Senate Bill No. 86, An Act relating to the transfer of public utility property. Having considered the same, reported the same under Joint rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by inserting after section 1 the following new section:

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Wells of Newton the House adopted the amendments proposed by the committee on engrossed bill.

The bill was then sent to the Senate for concurrence.

Committee Reports

Mr. Carr of Orford for the Committee on Aviation to whom was referred House Bill No. 165, An Act relative to aeronautical funds. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Aeronautical Fund.* Amend section 32 of chapter 306 of the Revised Laws as amended by section 9 of chapter 281 of the Laws of 1947 by adding at the end thereof the following: Monies derived from the airways toll, available for the establishment and maintenance of air navigation facilities, may be paid over directly to a city or town which has established an aeronautical fund in accordance with the provisions of chapter 188 of the Laws of 1951, so that said section as amended shall read as follows:

32. *Aeronautical Fund.* There is hereby established in the state treasury a fund to be known as the aeronautical fund. All fees and fines or other income received by the commission under the provisions hereof: all revenue from the airways toll; and moneys herein or hereafter appropriated to carry out the

provisions hereof shall be kept by the state treasurer in said aeronautical fund to be paid out by him upon warrants drawn by the governor with the advice and consent of the council for the purpose of this chapter subject to the following limitations on the revenue derived from the airways toll; one-half shall be used for the establishment and maintenance of air navigation facilities on the state airways system and one-half shall be used for the repayment of bonds or notes authorized hereunder. Subject to budgetary limitations, the aeronautical fund is annually appropriated for the use of the commission during the fiscal year of its receipt by the state treasurer and the unexpended balance of said fund shall be carried forward and added to the appropriation for the subsequent year. Monies derived from the airways toll, available for the establishment and maintenance of air navigation facilities, may be paid over directly to a city or town which has established an aeronautical fund in accordance with the provisions of chapter 188 of the Laws of 1951.

The report was accepted, the amendment adopted and the bill referred to the Committee on appropriations under the rules.

Mr. Carr of Orford for the Committee on Aviation to whom was referred House Bill No. 187, An Act relating to the taxation of municipal airports and other aeronautical facilities. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Washburn of Bartlett for the Committee on Fish and Game to whom was referred House Bill No. 12, An Act relative to season for taking wild deer. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1. *Wild Deer.* Amend section 3 of chapter 242 of the Revised Laws, as amended by chapter 191, Laws of 1943, chapter 168, Laws of 1945 and chapter 268, Laws of 1949, by striking out said section and inserting in place thereof the following: 3. *Taking; Time.* Wild deer, outside game preserves, may be hunted and taken from one-half hour before sunrise

to one-half hour after sunset in Coos, Carroll and Grafton counties from October twenty-fifth to November twenty-fifth; and in all the other counties of the state from December first to December twenty-first, provided that no deer shall be hunted or taken at any time on any island or in any waters or lakes and ponds.

Further amend said bill by inserting after section 1 the following new section:

2. *Special Closed Season.* Amend section 3-a of chapter 242 of the Revised Laws, as inserted by section 2, chapter 268, Laws of 1949, by striking out said section and inserting in place thereof the following: 3-a. *Powers of the Director.* During any part of either of the open seasons for taking wild deer the director, with the approval of the commission, may declare a closed period for taking deer if in his opinion such action is necessary to preserve an adequate brood stock of deer. Such special closed season shall not exceed ten days in each of the sections of the state as set forth in section 3.

Further amend said bill by renumbering section 2 to read section 3.

The report was accepted.

The question being on the amendment.

(Discussion Ensued)

Mr. Brown of Loudon spoke in favor of the amendment.

Mr. Fernald of Rochester moved that the bill be laid upon the table and made a Special Order for Tuesday, May 19 at 11:01 o'clock.

The question being on the motion.

(Discussion Ensued)

Mr. Fernald of Rochester spoke in favor of the motion.

Messrs. Brown of Loudon, Blake of Swanzey, and Metcalf of Tilton spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Washburn of Bartlett for the Committee on Fish and Game to whom was referred House Bill No. 332, An Act

relative to decreasing the length of season for the taking of wild deer.

Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act providing for a special open season for taking elk.

Amend said bill by striking out all after the enacting clause and inserting thereof the following:

1. *Special Open Season for Taking Elk.* At any time during the period from December twenty-first, 1953, to January fifteenth, 1954, the director may, at his discretion, declare an open season during which time elk may be taken in the towns of Acworth, Unity, Washington, Lempster, Goshen, Stoddard, and Newport and in any other parts of town in the immediate vicinity when the director deems such action necessary for control of the elk herd. Elk shall only be taken under the conditions hereinafter set forth.

I. No person shall take elk in this state without procuring a special license therefor in addition to the regular resident fishing and hunting license. The fee for such special license shall be five dollars.

II. No person shall take elk other than upon the one day as specified in his license. On the specified day elk may be taken under the terms hereof from sunrise to sunset only.

III. No person may make more than one application for an elk license and all applications for such license shall be accompanied by the required fee.

IV. No application for a special elk license shall be accepted by the department later than November thirtieth, 1953.

V. A resident owner of farm lands in the towns open to the taking of elk may apply to the director for a free elk license which will entitle him to hunt elk on his own farm lands during the open elk season.

VI. The procedure for ascertaining to whom licenses shall be issued shall be as follows: on the first Tuesday of December 1953, the names of applicants, who have paid the required fee, shall be typewritten on separate pieces of paper and placed by the director, in the presence of the attorney

general, or his official representative, one member of the state senate and one member of the house of representatives, chosen by the attorney general, in a bowl of at least twelve inches in depth with an opening not exceeding six inches. The contents of the bowl shall thoroughly be mixed and the names shall then be drawn from the bowl by one of three above named persons as determined by the attorney general. The person so drawing out the names shall be blind-folded when so drawing out said names. The names as drawn out shall be recorded in the order of being drawn. If necessary the drawing may be made on more than one day, at the discretion of the director.

VII. Licenses bearing the effective dates stamped with indelible ink shall be issued in the order drawn to those persons whose names were drawn as herein provided. The number of licenses issued per day shall be such as the director may determine commensurate with the public safety.

VIII. Any applicant for an elk license to whom a license is not issued shall be refunded the amount of four dollars and seventy-five cents, not later than December twenty-sixth, 1953. The fish and game department is hereby authorized to make the refunds authorized hereunder. Any applicant whose name has been drawn as above provided but to whom no license has been issued may between the the first Tuesday of December and the twenty-sixth of December withdraw his application and the fee shall be refunded as herein provided. Any person to whom a license has been issued and is unable to use such license because the maximum number of elk allowed to be killed have been killed shall be refunded the fee as herein provided.

IX. Every holder of an elk license shall report within six hours after the expiration of his license in person to a checking station specified on his license if he has been successful in taking an elk and shall exhibit said elk to the conservation officer who shall punch a hole in the ear of said elk with a punch provided for the purpose. Elk so punched may be transported within the state when open to view and accompanied by the owner, but may not be removed from the state without special permission in writing from the director. The carcass of said elk may not be bought or sold, but the head, hide and feet may be bought and sold. Every holder of an elk license who has not been successful in taking an elk shall also report within six hours after the expiration of his license to a check-

ing station, which report may be made in person or by telephone.

X. In taking elk under the provisions hereof no licensee shall use any firearm other than a rifle of power not less than the rifle commonly known as "30-30."

2. *Application of Statutes.* Such parts of section 1 of chapter 242 of the Revised Laws, as amended by section 2, chapter 13, Laws of 1943, as are inconsistent with the provisions of this act are hereby suspended during the time this act is in force. Any person who violates any of the provisions of this act shall be fined not more than three hundred dollars or thirty days in jail or both.

3. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted and the amendment laid upon the table to be printed under rule 48.

Mr. Weeks of Greenland for the Committee on Public Works to whom was referred House Bill No. 366, An Act to lay out and construct a continuous highway on a new location across the southeast corner of the state of New Hampshire westerly of the present U. S. No. 1 and to extend said highway northwesterly towards the lakes and mountain regions. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Portsmouth-Seabrook Toll Road.* Amend chapter 295, Laws of 1947, as amended by chapter 303, Laws of 1949, chapter 44, Laws of 1949, chapter 8, Laws of 1950 and by chapter 21, Laws of 1951, by striking out said chapter and inserting in place thereof the following:

Chapter 295

Eastern New Hampshire Turnpike

1. *Authority Granted.* The commissioner of public works and highways, with the approval of the governor and council, shall locate and construct a continuous highway from a point on the Massachusetts-New Hampshire boundary in the town of Seabrook to a point in the city of Portsmouth, and from said point in the city of Portsmouth to a point in the

vicinity of the city of Rochester, and shall operate and maintain said highway as a toll road as hereinafter provided.

(a) Determine the location of the aforesaid toll road and fix the width of its right of way.

(b) Acquire in the name of the state by purchase or by exercise of the right of condemnation as provided by statute such lands, property rights, easements and interests as may be deemed necessary for carrying out the provisions of this act.

(c) Designate the locations and establish, limit and control such points of ingress to and egress from the toll road as may be necessary or desirable to ensure the proper operation of the toll road and to prohibit ingress to or egress from the toll road at any points not so designated.

(d) Permit toll-free use of certain sections of the toll road if it is for the public good.

(e) Construct grade separations at intersections of the toll road with public roads and private ways, and change and adjust the lines and grades of such roads and ways so as to accommodate the same to the design of such grade separations and to the design of the toll road.

(f) Construct, operate and maintain the toll road within the compact areas of cities and towns.

(g) Grant permits or licenses to any corporation or person to place and maintain along, on, under of within the toll road ducts, pipes, pipe-lines, poles, wires or other structures, to be so located as not to be unsightly and not to interfere with the safe and convenient operation and maintenance of the toll road, and may contract with any such corporation or person for such permit or licenses on such terms and conditions as may be deemed necessary for carrying out the provisions of this act. The appearance, construction, maintenance and repairs of any such ducts, pipes, pipelines, poles, wires or other structures shall be subject to such directions and regulations as may be imposed.

(h) Establish a temporary turnpike engineering section for the period of design and construction of the toll road, assign permanent employees of the department of public works and highways to duties and positions in said section and employ such engineers and assistants as may be necessary on a temporary basis for said period of design and construction. The costs of said turnpike engineering section shall be a charge

against the funds made available under the act.

(i) Enter into contractural relations on behalf of this state;

(j) Do and perform all such acts as are necessary for the public good;

(k) Cause periodic traffic and economic studies to be made of the operation of the aforesaid toll road;

(l) Make periodic studies of possible extensions or additions to said toll road;

(m) Employ such assistants, engineers or consulting services as may be necessary to carry out the provisions of paragraphs (k) and (l) of this section. The expense of the said studies shall be a charge upon the fund established under section 8 of this chapter and, upon approval by the legislature, to extend said turnpike when recommendations of independent recognized consultants indicate that such extensions are economically feasible.

2. *Blue Star Memorial Highway.* Said toll road from Seabrook connecting route No. 1 in Maine shall be designated as the Blue Star Memorial highway as provided in chapter 115, Laws of 1949 and shall be located on the road as now constructed.

3. *Highway Patrol.* The commissioner of public works and highways shall establish a turnpike patrol for the maintenance of law enforcement, public safety, collection of tolls and courtesy aid. The policies of such patrol shall be determined jointly by the commissioner of public works and highways and the superintendent of state police and members of the state police may be assigned to such patrol by mutual agreement. Operational control of portions of said patrol utilized for law enforcement and public safety shall be under the direction of the superintendent of state police. Maintenance and operational employees of the department of public works and highways assigned to toll road duties may be given police powers and may be used on said patrol as designated. Costs of said patrol shall be a charge on the fund established under section 8 of this act.

4. *Funds Provided.* A sum not exceeding seven million dollars ($7,000,000) for the construction of the toll road from a point on the Massachusetts-New Hampshire boundary in the town of Seabrook to a point in the city of Portsmouth and a

sum not exceeding fourteen million three hundred thousand dollars ($14,300,000) for the construction from said point in the city of Portsmouth to a point in the vicinity of the city of Rochester is hereby appropriated as hereinafter provided for the purposes of carrying into effect the provisions of this act.

5. *Borrowing Power.* The state treasurer is hereby authorized under the direction of the governor and council to borrow upon the credit of the state a sum not exceeding twenty-one million three hundred thousand dollars $21,300,000) for the purpose of carrying into effect the provisions of this act and for that purpose may issue bonds in the name and on behalf of the State of New Hampshire at a rate of interest to be determined by the governor and council.

The maturity dates of such bonds shall be determined by the governor and council but in no case shall they be later than thirty years from the date of issue and may be redeemable before maturity at the option of the governor and council at such price or prices and under such terms and conditions as may be fixed by the governor and council prior to the issuance of the bonds. Such bonds shall contain an express guarantee which shall be deemed a contract on the part of the state that tolls will be collected in accordance with the provisions of this act until the date of maturity of said bonds or until sufficient money shall have accumulated to pay said bonds and the interest thereon at or prior to dates of maurity. The bonds shall be in such form and such denominations as the governor and council shall determine, may be registerable as to both principal and interest, shall be countersigned by the governor, and shall be deemed a pledge of the full faith and credit of the state.

The secretary of state shall keep an account of all such bonds showing the number and amount of each, the time and date of countersigning, the date of delivery to the treasurer, and the date of maturity.

The state treasurer shall keep an account of each bond showing the number thereof, the name of the person to whom sold, the amount received from the same, the date of the sale and the date of maturity.

6. *Short Term Notes.* Prior to the issuance of the bonds hereunder the state treasurer with the approval of the governor and council, may for the purposes hereof borrow money from time to time on short term loans which may be refunded by

the issuance of the bonds hereunder. Provided, however, that at no one time shall the indebtedness of the state on such short term loans exceed the sum of fourteen million three hundred thousand dollars.

7. *Sale of Bonds or Notes.* All bonds or notes (except short-term loans) issued under the provisions of this act shall be sold (1) at public sealed bidding (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire and in a financial publication of national circulation, the first publication being not less than thirty days prior to the day the bids will be received, and (3) to the highest bidder. The governor and council may reject any or all bids, and/or negotiate with the highest responsible bidder.

The proceeds from the sale of such bonds shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act alone and the governor with the advice and consent of the council, shall draw his warrant for the payment from the funds provided by this act of all sums expended or due for the purposes herein authorized, provided, however, that such expenditures or commitments shall not exceed the sum of five million dollars ($5,000,000) prior to July 1, 1955. All interest from such bonds shall be exempt from taxation within the state of New Hampshire.

8. *Tolls.* Tolls or charges, which with the approval of the governor and council, are deemed necessary and reasonable for the use of any part of said highway or any part of the right of way and other property acquired pursuant to the provisions hereof, shall be collected from persons operating motor vehicles thereon or otherwise making use of said right of way. The tolls collected shall be deposited with the state treasurer who shall keep the same in a separate account, and the operating expenses and maintenance of the turnpike shall be paid from said account. From the balance remaining after payment of operation and maintenance, the governor with the approval of the council, shall pay the interest and principal on the bonds issued hereunder. Fourteen days previous to the time said interest and principal is payable, the state treasurer shall examine the existing balance and if such balance is insufficient to make the payment, then he shall notify the governor who will immediately draw his warrant on the highway fund to

cover any deficit and if the funds in both of the above accounts are insufficient the governor will draw his warrant upon the state's general fund to the amount necessary to meet the payments. The full faith and credit of the state is pledged to the payment of the principal of and the interest on the bonds as they become due and payable. Any funds paid out from the state's general fund for the above purposes shall be reimbursed from the collection of tolls as soon as such funds are available. Any funds that have been or may be expended for the completion of the turnpike by the department of public works and highways shall be repaid to said department when, in the opinion of the governor and council, sufficient funds are available. Any excess income may be used for further toll road extensions in accordance with section 1 (1) of this act. During the construction of the turnpike the governor may, if necessary, draw his warrant upon the highway fund to pay interest due on any bonds that have been issued in accordance with the provisions of this act; such payment is to be repaid to the highway fund from the collection of tolls.

9. *Definition.* Said toll road shall be a limited access defined in part 7, chapter 90 of the Revised Laws as amended by chapter 188, Laws of 1945, except that section 8 shall not apply to ducts, pipes, pipelines, poles, wires or other structures permitted under section 1 (g) of this Act or to existing facilities on highways, not now restricted as to access, used as toll-free sections of the turnpike.

10. *Contracts for Construction.* All contracts for the construction of the highway hereunder shall be awarded to the lowest responsible bidder submitting a sealed bid after an advertisement calling for bids has been published at least once in each of two successive weeks in a newspaper of general circulation in New Hampshire. The first publication of such advertisement shall be not less than fourteen days prior to the date upon which bids are received. Contracts shall be awarded in accordance with section 13, part 9, chapter 5, Laws of 1950.

11. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, and with the amendment pending, the bill was referred to the Committee on Appropriations under the rules.

Mrs. Morey of Hart's Location for the Committee on

Public Works to whom was referred House Bill No. 422, An Act providing for the expenditure of state road aid for town highways under the direction of the selectmen. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Philbrick of Rye for the Committee on Public Works to whom was referred House Joint Resolution No. 45, Joint Resolution relative to improvement of the Thirteen-Mile road so called in Coos county. Having considered the same, reported the same with the following Resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Webb of Dover for the Special Committee consisting of the delegation from the city of Dover to whom was referred House Bill No. 200, An Act relative to a five-day week for the city of Dover police department. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Bennett of Keene for the Special Committee consisting of the delegation from the city of Keene to whom was referred House Bill No. 385, An Act relating to sewerage system in the city of Keene. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Cooper of Nashua for the Committee on Judiciary to whom was referred House Bill No. 307, An Act establishing the dates of legal holidays. Having considered the same, reported the same with the following resolution,

Resolved, That it be referred to the next session of the Legislature.

The report was accepted.

Mr. Fernald of Rochester moved that the words "ought

to pass" be substituted for the report of the committee, that it is inexpedient to legislate.

The question being on the motion to substitute.

(Discussion Ensued)

Mr. Fernald of Rochester spoke in favor of the motion.

Mrs. Cooper of Nashua spoke against the motion.

Mr. Black of Bennington moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion Ensued)

Messrs. Black of Bennington, Washburn of Bartlett, Wells of Newton, and Heald of Keene, spoke in favor of the motion.

Messrs. Green of Rollinsford, Gale of Jackson, Clement of Rochester and Brown of Laconia, and Mesdames Morey of Hart's Location, St. Pierre and Studley of Rochester, and Brungot of Berlin spoke against the motion.

Mr. Ecker of Manchester moved the previous question.

The question being:

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion prevailed.

Mr. Fernald of Rochester called for a division but subsequently withdrew his demand.

Mr. Brown of Strafford for the Committee on Judiciary to whom was referred House Joint Resolution No. 23, Joint Resolution relative to ascertaining the desires of the people on the question of taxation. Having considered the same, reported the same with the following Resolution:

Resolved, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Judiciary to whom was referred House Joint Resolution No. 23, a Joint Resolution relative to ascertaining the desires of the people on the question of taxation. Having considered the same, reported the same with the following amendment, and the recommendation that the Joint Resolution as amended ought to pass:

Amend said resolution by inserting after the phrase "(4) tax" the phrase, (5) dog racing, so that said resolution as amended shall read as follows:

That the secretary of state is hereby directed to insert on the ballots of each town and ward used at the biennial election in November, 1954, the following statement and question: "If the state is to continue its present services to the people it will be necessary for the state to have additional revenue. If such revenue is to be raised by taxation, which of the following methods would you favor (1) state lottery, (2) income tax, (3) sales tax, (4) head tax, (5) dog racing?" Squares shall be printed on the ballots with the words "I favor" and "I do not favor" whereby the voter may indicate his preference on the various parts of this question. In making up the ballots the secretary of state shall alternate the said parts so that each part will be at the top, in the middle, and at the bottom, as near an equal number of times as possible on the ballots. The town and city clerks shall return to the secretary of state the results of the voting under this resolution and the secretary of state shall report to the legislature of 1955 a compilation of said results, for the information of the legislature.

DANIEL J. HEALY
MYER SAIDEL
FRED A. JONES
MABEL T. COOPER
HILDA C. F. BRUNGOT
PERLEY W. MUDGETT
HENRY G. WELLS
For the Minority of the Committee

Mr. Jones of Lebanon moved that the report of the minority be substituted for that of the majority.

The question being on the motion to substitute.

(Discussion Ensued)

Messrs. Jones of Lebanon, Stearns of Durham, Spaulding of Hudson, Young of Pittsfield, Geisel of Manchester, Perley of Lebanon, Chase of Dover, Ashley of Lebanon, Plumer of Bristol, and Lamson of New London and Mesdames Morey of Hart's Location and Brungot of Berlin spoke in favor of the motion.

Messrs. Brown of Strafford, Wadleigh of Milford, Baron

of Claremont, Malley of Somersworth, Matthews of New Hampton, and Blake of Swanzey and Mesdames Holmes of Amherst, and Atkins of Hanover, spoke against the motion.

Mr. Hart of Laconia moved the previous question.

The question being

Shall the main question now be put?

On a *viva* voce vote the previous question was ordered.

The question being on the motion to substitute the minority report for that of the majority.

On a *viva voce* vote the motion to substitute did not prevail.

Mr. Geisel of Manchester called for a division.

A division being had 165 members having voted in the affirmative and 138 members having voted in the negative the motion to substitute prevailed.

Mr. Brown of Strafford demanded the yeas and nays but subsequently withdrew his demand.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Malley of Somersworth offered the following amendment:

Amend the Joint Resolution by striking out all after the caption and inserting in place thereof the following:

Resolved by the Senate and House of Representatives in General Court convened,

That the Secretary of State is hereby directed to insert on the ballots of each town and ward used at the biennial election in November 1954 the following statements and questions in alphabetical order:

A. Should the state reduce its expenditures to the point where present sources of revenue will be sufficient?

B. If you favor retaining or increasing the state services, new taxation will be necessary.

Which revenue raising proposals would you prefer? Mark 1, 2, or 3 in order of choice.

Extension of pari-mutuel betting.
Bookies, licensing of.
Income tax
Lotteries
Sales Tax

Head Tax

The town and city clerks shall return to the secretary of state the results of the voting under this resolution and the secretary of state shall report to the legislaure of 1955 a compilation of said results for the information of the legislature.

The question being on the amendment.

(Discussion Ensued)

Messrs. Malley of Somersworth, Baron of Claremont, Scamman of Stratham, Metcalf of Tilton, and Rainie of Concord spoke in favor of the amendment.

Messrs. Geisel of Manchester, and Angus of Claremont spoke against the amendments.

On a *viva voce* vote the chair was in doubt.

Mr. Malley of Somersworth called for a division.

A division being had 162 members having voted in the affirmative and 148 members having voted in the negative, the amendment was adopted, and the bill was ordered to a third reading.

Mr. Chase of Dover for the Committee on Military and Veteran's Affairs to whom was referred House Bill No. 19, An Act relative to veterans service exemption. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Military and Veteran's Affairs to whom was referred House Bill No. 19, An Act relative to veterans service exemption. Having considered the same and being unable to agree with the majority report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Veterans Service Exemption.* Amend chapter 73 of the Revised Laws by inserting after section 29-h, as inserted by section 3, chapter 167, Laws of 1949, the following new section: 29-i. *Application of Statutes.* No person shall be entitled to the exemptions provided by section 29 for more than 10 years excepting widows of veterans who have not remarried and disabled veterans as defined by the Veterans Administration.

Further amend said bill by striking out section 2 and inserting in place thereof the following:

2. *Takes Effect.* This act shall take effect as of April 1, 1954 and shall also be applicable to Veterans Service Exemptions granted from April 1, 1949 to April 1, 1953.

J. HOWARD MENDENHALL
A Minority of the Committee

The reports were accepted.

Mr. Black of Bennington moved that the bill be laid upon the table and be made a special order of business for Tuesday, May 19, at 11:01 o'clock.

The question being on the motion.

(Discussion Ensued)

Messrs. Black of Bennington and Chase of Dover spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Resolution

Mr. Griffin of Lincoln offered the following resolution:

Resolved that the House of Representatives shall be in session for four days (during the week of May 18th) specifically on the days of Tuesday, Wednesday, Thursday, and Friday, being May 19th, 20th, 21st, and 22nd respectively.

Mr. Griffin of Lincoln moved that the resolution be laid upon the table and be made a special order of business for Tuesday, May 19 at 11:02 o'clock.

The question being on the motion.

(Discussion Ensued)

Mr. Griffin of Lincoln spoke in favor of the motion.

Messrs. Angus of Claremont and Perley of Lebanon, and Mrs. Millar of Claremont spoke against the motion.

Mr. Griffin of Lincoln then withdrew his motion for a special order and subsequently withdrew his resolution.

Mr. Perley of Lebanon moved that the House adjourn from the morning session but subsequently withdrew his motion.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 359, An Act making appropriations for the Motor Vehicle Dept., State Police, Fish and Game Dept., Public Works and Highways.

Section 1.

Amend section 1 of the bill in the appropriation for the Motor Vehicle Department by striking out the figure 4,275.00 for current expenses under the item gasoline road toll and inserting in place thereof the figure 4,025.00.

Amend section 1 of the bill in the appropriation for Motor Vehicle Department by striking out the figure 500.00 for travel under item for gasoline road toll and inserting in place thereof the figure 750.00.

Amend section 1 of the bill in the appropriation for Motor Vehicle Department by striking out the figure 26,700.00 for current expenses under the item for inspectional services and inserting in place thereof the figure 22,700.00.

Amend section 1 of the bill in the appropriation for Motor Vehicle Department by striking out the figure 1,000.00 for travel under the item inspectional services and inserting in place thereof the figure 5,000.00.

Amend section 1 of the bill in the appropriation for fish and game department by striking out the figure 26,554.33 for other personal services under the item administration and inserting in place thereof the figure 30,364.33.

Amend section 1 of the bill by striking out in the appropriation for the fish and game department the figure 68,089.33 for the total under the item administration and inserting in place thereof the figure 71,899.33.

Amend section 1 of the bill by striking out the figure 1,117,110.59 for "Total for fish and game department and inserting in place thereof the figure 1,120,920.59. Amend section 1 of the bill by striking out the figure 1,117,110.59 for the item "Less revenue and balance" and inserting in place thereof the figure 1,120,920.59.

Section 2.

Amend section 2 of the bill in the appropriation for motor vehicle department by striking out the figure 4,025.00 for

current expenses under item for gasoline road toll and inserting in place thereof the figure 3,775.00.

Amend section 2 of the bill in the appropriation for motor vehicle department by striking out the figure 500.00 for travel under item for gasoline road toll and inserting in place thereof the figure 750.00.

Amend section 2 of the bill in the appropriation for motor vehicle department by striking out the figure 27,700.00 for current expenses under item for inspectional services and inserting in place thereof the figure 23,700.00.

Amend section 2 of the bill in the appropriation for motor vehicle department by striking out the figure 1,000.00 for travel under item for inspectional services and inserting in place thereof the figure 5,000.00.

Amend section 2 of the bill in the appropriation for fish and game department by striking out the figure 27,065.00 for other personal services under the item administration and inserting in place thereof the figure 31,085.00.

Amend section 2 of the bill in the appropriation for fish and game department by striking out the figure 64,210.00 for total under the item administration and inserting in place thereof the figure 68,230.00.

Amend section 2 of the bill by striking out the figure 1,081,904.68 for total for fish and game department and inserting in place thereof the figure 1,085,924.68. Amend section 1 of the bill by striking out the figure 1,081,904.68 for the item "Less revenue and balance" and inserting in place thereof the figure 1,085,924.68.

On motion of Mr. McMeekin of Haverhill reading of the amendments was dispensed with.

On motion of Mr. McMeekin of Haverhill the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 163, An Act relating to the determination of adjusted valuation for school aid purposes.

Amend the bill by adding in section 1 after the last sentence the following new sentence:

"Nothing in this law shall be construed to allow the

capitalization of income from parking meters or any other income the end use of which is specifically ear-marked by statute."

Mr. Vaughan of Newport moved that the House nonconcur in the adoption of the amendments sent down from the Honorable Senate, and that a committee of conference be appointed.

On a *viva voce* vote the motion prevailed.

The message further announced that:

The Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 40, An Act relative to the salary of the treasurer of Grafton county.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

House Bill No. 153, An Act to provide for an additional justice of the superior court.

House Joint Resolution No. 50, Joint Resolution in favor of the department of the adjutant general.

House Joint Resolution No. 51, Joint Resolution providing for granting of special citations to state employees for suggestions for improvement of state service.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolutions:

Be it resolved, by the House of Representatives, the Senate concurring

That the study of the advisability and feasibility of adopting the Federal Social Security Plan for employees of the State of New Hampshire and its political subdivisions conducted by the special joint legislative committee and reported in the House Journal for May 5, 1953 be referred to the Legislative Council for further consideration following adjournment of the 1953 session of the General Court. The Council shall report its findings and make its recommendations including the proposed legislation, if any, to the 1955 session of the General Court.

The message also announced that:

The Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 97, An Act to authorize the purchase of inventories.

Senate Bill Read and Referred

Senate Bill No. 97, An Act to authorize the purchase of inventories.

Read a first and second time and referred to the Committee on Executive Departments and Administration.

On motion of Mr. Eldredge of Exeter the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Smith of Meredith for the Committee on Municipal and County Government to whom was referred House Bill No. 4, An Act establishing the municipal finance act. Having considered the same, reported the same in new draft with the recommendation that the bill in its new draft be recommitted to the Committee on Municipal Government.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Municipal and County Government.

Resolution

Mr. Ford of Wolfeboro offered the following resolution:

Whereas, we have learned of the death of Mrs. Bessie Clow, mother of John H. Clow, Representative from Wolfeboro, therefore be it

Resolved, That we, the members of the House of Representatives, hereby extend our heartfelt sympathy to the family in its bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to the family and to Representative Clow.

On a *viva voce* vote the resolution was unanimously adopted.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

The House was immediately called to order in afternoon session.

Afternoon

On motion of Mr. Wadleigh of Milford the rules were so far suspended as to allow the third readings of bills be by their titles and joint resolutions by its caption only and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

Third Readings

House Bill No. 12, An Act relative to season for taking wild deer.

Read a third time and passed and sent to the Senate for concurrence.

Reconsideration

Mr. Blake of Swanzey moved that the House reconsider its vote whereby it passed House Bill No. 12, An Act relative to season for taking wild deer.

On a *viva voce* vote the motion did not prevail.

House Bill No. 187, An Act relating to the taxation of municipal airports and other aeronautical facilities.

House Bill No. 385, An Act relative to sewerage system in the city of Keene.

House Joint Resolution No. 23, Joint Resolution relative to ascertaining the desires of the people on the question of taxation.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Brungot of Berlin at 3:29 o'clock the House adjourned.

TUESDAY, MAY 19, 1953

The House met according to adjournment.

Prayer was offered by the Guest Chaplain, Rev. Fred A. Russell, Jr., Minister, the First Universalist Church, Claremont.

Our God, Father of all mankind, source of all our gifts in this universe in which we live, move and have our being, we bless thee in this hall of deliberation that day by day thou dost maintain and renew our life. In this fellowship of law-

makers we are joined together in thanksgiving and the search for truth that makes men free. We would be mindful of our weaknesses and shortcomings; for wasted moments, bitter words and untrustful thoughts; for evil tempers, meanness and insincerities, and all our fears. May we here seek the inspiration to courageously rise above our failures. May we be delivered from shifting purposes and wandering desires. May the example of the good and noble prophets of the past and present be our guide as we seek to work in patience and with justice, following truth wherever it may lead us, and thus provide through our efforts that which is just and good for those we serve. *Amen.*

Leaves of Absence

Messrs. Roeder of Belmont, Weeks of Greenland, Murch of Portsmouth, and Lamson of New London were granted leave of absence for the day on account of important business.

Messrs. Cummings of Peterborough, and Cushing of Derry were granted leave of absence for the week on account of important business.

Mr. Freeman of Nashua was granted leave of absence for an indefinite period on account of illness.

Mr. Nawn of Concord was granted leave of absence for the week on account of illness.

Introduction of a Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Youmans of Warner, House Bill No. 448, An Act relative to the incontestability of a tax deed. To the Committee on Judiciary.

Committee of Conference Appointed

The Speaker appointed to the Committee of Conference on House Bill No. 163, An Act relating to the determination of adjusted valuation for school aid purposes, Mr. Vaughan of Newport, Mrs. Atwood of Sanbornton, and Mrs. Hundley of Portsmouth.

Concurrent Resolution

Mr. Holden of Newington offered the following concur-

rent resolution:

Whereas, on or about Thursday, May 14, 1953, information was released by Charles E. Wilson, Secretary of Defense, whereby the citizens of New Hampshire were told of the abandonment of plans for constructing the Portsmouth Air Force Base and

Whereas, several million dollars have been spent in preliminary work, purchase of land and facilities by the Federal Government for the Portsmouth Air Force Base, and

Wheeras, the abandonment of the construction of said Portsmouth Air Force Base means a loss of several millions of dollars to the craftsmen and people of New Hampshire, and

Whereas, the construction of the Portsmouth Air Force Base has been stated to be of strategic importance to the defense of our coutry,

Now therefore be it resolved by the Senate and House of Representatives in General Court convened:

That we do hereby petition our Senators and Representatives in the Congress of the United States to use all honorable means within their power to bring about the reinstatement of the construction of the Portsmouth Air Force Base at the earliest opportunity, in order that the people of New Hampshire may realize the benefits therefrom, and be it further

Resolved, that a copy of these resolutions be transmitted by the Secretary of State to the Senators and Representatives in Congress from the State of New Hampshire for their immediate action.

The question being on the concurrent resolution.

(Discussion Ensued)

Mr. Holden of Newington spoke in favor of the concurrent resolution.

Mr. Kearns of Manchester moved that the resolution be laid upon the table and be made a Special Order for Wednesday, May 20, at 11:01 o'clock.

The question being on the motion.

(Discussion Ensued)

Messrs. Kearns of Manchester, Chase of Dover, Brown of Loudon, and Mrs. Richards of Exeter spoke in favor of the motion.

Messrs. Martel of Manchester, Perley of Lebanon, Foote of Portsmouth, Brown of Laconia, and Holden of Newington and Mrs. Brungot of Berlin spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the concurrent resolution.

On a *viva voce* vote the concurrent resolution was adopted.

Mr. Holden of Newington called for a division.

A division being had 299 members having voted in the affirmative, and 5 members having voted in the negative the concurrent resolution was adopted.

Report of the Committee on Engrossed Bills

Mrs. Hundley of Portsmouth for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Joint Resolution, Senate and House Bills:

House Joint Resolution providing for taking the sense of the legal voters of the state on the question of calling a constitutional convention.

Senate Bill No. 20, An Act relating to the settlement of patients at nursing and convalescent homes.

Senate Bill No. 41, An Act relating to compensation for members of the chiropractic board and to revocation of licenses.

House Bill No. 82, An Act relative to the payment of poll taxes.

House Bill No. 324, An Act relative to benefits under the teachers' retirement system.

House Bill No. 359, An Act making appropriations for the expenses of the motor vehicle department, state police, fish and game department, public works and highways.

House Bill No. 428, An Act relative to filing in registry office of evidence of highway taking.

The report was accepted.

Mr. Hyde of Andover for the Committee on Engrossed Bills to whom was referred House Bill No. 227, An Act relative to residential requirements and registration of voters. Having considered the same, reported the same under Joint rule

6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to residential requirements and registration of voters and to reports of political expenditures.

The report was accepted.

On motion of Mr. Moore of Bradford the House adopted the amendments proposed by the committee on engrossed bills.

The bill was then sent to the Senate for concurrence.

Committee Reports

Mrs. Atwood of Sanbornton for the Committee on Appropriations to whom was referred House Joint Resolution No. 37, Joint Resolution relative to publication of a New Hampshire book. Having considered the same, reported the same with the following Resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Atkins of Hanover for the Committee on Judiciary to whom was referred Senate Bill No. 78, An Act relating to evidence in actions by or against the representatives of deceased persons. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Holmes of Amherst for the Committee on Judiciary to whom was referred House Bill No. 308, An Act relating to motor vehicles. Having considered the same, reported the same with the following resolution:

Resolved, That it be referred to the Legislative Council for study and recommendation.

The report was accepted and the recommendation of the Committee adopted.

Mr. Pappagianis of Nashua for the Committee on Municipal and County Government to whom was referred House Bill No. 347, An Act to prevent the interruption of municipal services and to continue good relations existing between the

New Hampshire municipalities and their employees. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hart of Laconia for the Committee on Resources, Recreation and Development to whom was referred House Bill No. 336 (In new draft), An Act relative to developments of navigable tidal waters and harbors. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill referred to the Committee on Appropriations under the rules.

Taken from the Table

House Bill No. 158, An Act relating to the registration of pleasure-car type motor vehicles.

The question being on the amendment, as printed in the Journal of May 13.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Mudgett of Conway for the Committee on Judiciary to whom was referred House Bill No. 393, An Act relative to motor vehicle operators occupational licenses. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The undersigned, a Minority of the Committee on Judiciary to whom was referred House Bill No. 393, An Act relative to motor vehicle operators occupational licenses. Having considered the same and being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

DANIEL J. HEALY
MYER SAIDEL
A Minority of the Committee

The reports were accepted.

Mr. Healy of Manchester, Ward 6, moved that the min-

ority report be substituted for that of the majority.

The question being on the motion to substitute.

(Discussion Ensued)

Messrs. Healy, Robb and Danforth of Manchester spoke in favor of the motion.

Messrs. Rainie of Concord and Wells of Newton and Mrs. Cooper of Nashua spoke against the motion.

On a viva voce vote the motion to substitute did not prevail.

The question being on the resolution of the committee, that it is inexpedient to legislate.

On a *viva voce* vote, the resolution was adopted.

Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 318, An Act relative to motor vehicle operator's licenses held by military personnel, reported the same with the recommendation that the House recede from its position of non-concurrence, that the Senate recede from its position in adopting its amendments, and that the following amendments be adopted:

Amend the bill by striking out all after the enacting clause and substituting in place thereof the following:

1. Amend section 2 of chapter 97, Laws of 1951, by adding at the end thereof the following new sentence: The privileges of this section shall remain in effect for a period of sixty days after the discharge or release from active duty.

2. Amend section 4 of chapter 97, of the Laws of 1951, by striking out said section and inserting in place thereof the following: 4. *Takes Effect.* The provisions of sections 1 and 2 shall be effective forthwith and shall apply in all its provisions to those members of the armed forces now on active duty and to all persons inducted or called on active duty hereafter and shall remain in effect until the termination of the Korean conflict, and provided further that said sections and the remaining sections of this act shall also be effective during a period of armed hostilities as declared by the Congress and President of the United States.

3. *Takes Effect.* This act shall take effect April 1st, 1953.

BENJAMIN C. ADAMS
LOUIS W. PAQUETTE
Conferees on the Part of the Senate

L. B. WORMHOOD
BERNARD J. ROBINSON
CHARLES H. WHITTIER
Conferees on the Part of the House

The report was accepted.

On motion of Mr. Whittier of Bethlehem, reading of the report was dispensed with.

The question being on agreeing to the report.

On a *viva voce* vote the report of the committee of conference was agreed to.

Special Order

Mr. Black of Bennington called for the special order, it being House Bill No. 19, An Act relative to veterans service exemption.

Majority: Inexpedient to legislate.

Minority: Ought to pass with amendment.

Mr. Black of Bennington moved that the report of the minority be substituted for that of the majority.

The question being on the motion to substitute.

(Discussion Ensued)

Mr. Black of Bennington spoke in favor of the motion.

Mr. Baron of Claremont moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion Ensued)

Mr. Baron of Claremont spoke in favor of the motion.

(Mr. Spaulding in Chair)

Messrs. Chase of Dover, Perley of Lebanon, O'Shan of Laconia, Metcalf of Tilton and Youmans of Warner spoke in favor of the motion.

Messrs. Dutton of Peterborough, Robinson of Gorham, and Mendenhall of Dunbarton spoke against the motion.

(Speaker in Chair)

Messrs. Powell of Sutton, and Payeur of Pembroke spoke in favor of the motion.

Mr. Corbett of Concord moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

Mr. Baron of Claremont called for a division.

A division being had 233 members having voted in the affirmative and 65 members having voted in the negative the motion to indefinitely postpone prevailed.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate had voted to refer the following bills to the Judicial Council:

House Bill No. 311, An Act relating to the statute of limitations as to prior convictions.

House Bill No. 275, An Act providing for a voir dire examination of jurors by attorneys in criminal and civil cases.

The message further announced that:

The Senate had voted to adopt the report of the committee of conference on House Bill No. 318, An Act relative to motor vehicle operator's licenses held by military personnel.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolutions:

Whereas, the General Court has learned that the City of Keene is celebrating its 200th birthday this year, and

Whereas, the citizens of Keene are sparing no expense to make this birthday celebration an outstanding event in the history of Keene, and

Whereas, the honorable Mayor and members of the City Government send kind invitations to the members of the General Court, be it hereby

Resolved that the House of Representatives and honor-

able Senate convene to extend to the citizens of Keene congratulations and best wishes for a successful celebration, and be it further

Resolved that the membership of the General Court accept the kind invitation to be present and visit their fellow New Hampshire citizens during the week of June 28-July 4th, 1953.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution sent up from the House of Representatives:

House Bill No. 82, An Act relative to the payment of poll taxes.

House Bill No. 324, An Act relative to benefits under the teachers' retirement system.

House Bill No. 428, An Act relative to filing in registry office of evidence of highway taking.

House Joint Resolution No. 36, Joint Resolution providing for taking the sense of the legal voters of the state on the question of calling a constitutional convention.

The message further announced that:

The Senate refused to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 312, An Act providing for a revolving fund for use by the state technical institutes.

House Bill No. 334, An Act relating to reference of prior convictions.

The message further announced that:

The Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

Senate Bill No. 32, An Act relating to borrowings by real estate loans and reserves of Building & Loan Associations.

Amend section 5 of said bill by striking out said section and inserting in place thereof the following:

5. *Takes Effect.* The provisions of section 4 of this act shall take effect as of January 1, 1954, and the remaining pro-

visions hereof shall be effective as of the date of the passage of this act.

On motion of Mr. Geisel of Manchester the House concurred in the adoption of the amendments proposed by the committee on engrossed bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that:

The Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 67, An Act relative to the confidential nature of records of voluntary patients of the commission on alcoholism.

Senate Bill No. 70, An Act relative to civil defense agency.

Senate Bills Read and Referred

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

Senate Bill No. 67, An Act relative to the confidential nature of records of voluntary patients of the commission on alcoholism.

Senate Bill No. 70, An Act relative to civil defense agency.

To the Committee on Executive Departments and Administration.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles only.

Third Readings

House Bill No. 158, An Act relating to the registration of pleasure-car type motor vehicles.

Read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 78, An Act relating to evidence in actions by or against the representatives of deceased persons.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. McDonald of Kingston at 2:57 o'clock the House adjourned.

WEDNESDAY, MAY 20, 1953

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O God, who didst give unto us Jesus Christ to be our Teacher and our Guide through this intricate path of life, give us the desire and the wisdom to profit by the words He spoke, and grace to follow in His steps.

Christ said: "When ye stand praying, forgive, if ye have aught against any." O God, give us that spirit of forgiveness that was so outstanding in the life and actions of the Divine Master.

Christ said: "It is more blessed to give than to receive." Give us, our God, grace to think less about the material compensations of life and more about the moral and spiritual uplift we may give to another, and by so doing enrich ourselves.

Christ said: "Judge not, that ye be not judged." Help us, our Father, to first cast the beam out of our own eyes before we seek to remove the mote from our brothers' eyes. We ask this in the name of the Great Teacher, Jesus Christ. *Amen.*

Leaves of Absence

Messrs. Nichols of Center Harbor, and Chase of Dover, and Mrs. Goodwin of Hollis were granted leave of absence for the day on account of important business.

Mrs. Studley of Rochester was granted leave of absence for the day on account of illness.

Report of Committee on Engrossed Bills

Mrs. Corliss of Manchester for the Commitee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Joint Resolution and Senate Bills:

House Joint Resolution No. 48, Joint Resolution in favor of Harold E. and Mary F. Wentworth.

Senate Bill No. 86, An Act relating to the transfer of public utility property.

Senate Bill No. 88, An Act relative to fishing in upper Connecticut river and to closed seasons for taking crayfish.

The report was accepted.

Committee Reports

Miss Loizeaux of Plymouth for the Committee on Appropriations to whom was referred Senate Joint Resolution No. 4, Joint Resolution in favor of Marie Audet. Having considered the same, reported the same with the recommendation that the Joint Resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Scamman of Stratham for the Committee on Appropriations to whom was referred House Bill No. 161, An Act relating to Crotched Mountain Rehabilitation Center. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate. Subject matter covered by House Bill No. 442 and House Bill No. 443.

The report was accepted and the resolution of the committee adopted.

Mr. Pillsbury of Manchester for the Committee on Appropriations to whom was referred House Bill No.423, An Act providing for a salary increase for classified state employees. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by inserting after the word "employees" in the sixth line the words, including those who may be receiving temporary rates in excess of their respective salary scales, so that said section as amended shall read as follows: 1. *Salary Increase.* The salary scale for classified personnel of the state shall be increased in each salary range and each step in the range by the sum of one hundred dollars or by an amount equivalent to an increase of seven per cent of the same salary range and step in the range as established on July 1, 1950, whichever is greater. The salaries of all classified employees, including those who may be receiving temporary

rates in excess of their respective salary scales, shall be increased as provided in this section.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Ferguson of Pittsfield for the Committee on Appropriations to whom was referred House Bill No. 442, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1954. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by inserting after "Total for executive branch $216,440.00" the following: †Salaries paid out of this appropriation shall be at levels set by the governor.

Amend the paragraph relative to custodial care in the state prison by inserting after the appropriation for equipment the following:

Custody of certain inmates **5,000.00

Further amend the paragraph by striking out the figure $228,251.80" and inserting in place thereof the figures, 233,-251.80.

Further amend said paragraph by adding the following: **This appropriation shall be available for the custody of unmanageable inmates in out-of-state institutions or Federal Penitentiaries when no suitable institutions exist in New Hampshire. Any payments out of this appropriation shall be made with the approval of the Governor and Council. This fund may also be used for such inmates who have been sent to such out-of-state institutions from the Laconia state school, the industrial school and the state hospital.

Amend section 1 of the bill by striking out in the appropriation for state prison "Total for state prison $320,903.99" and inserting in place thereof, Total for state prison $325,903.-99.

Amend section 1 of the bill by striking out in appropriation for state prison "Net appropriation $302,694.99" and inserting in place thereof, Net appropriation $306,694.99.

Amend section 1 of the bill in the appropriation for the Board of Education by striking out under Foundation aid; the words and figures "State aid to school districts 800,000.00"

and inserting in place thereof the words and figures, State aid to school districts 900,000.00.

Amend section 1 of the bill in the appropriation for the Board of Education by striking out under Foundation aid the word and figures "Total 807,000.00" and inserting in place thereof the word and figures, Total 907,000.00.

Amend section 1 of the bill in the appropriation for the Board of Education by striking out

"Total for board of education	$2,492,486.75
Less revenue	734,751.00
Net appropriation	$1,757,735.75"

and inserting in place thereof

Total for board of education	$2,592,486.75
Less revenue	734,751.00
Net appropriation	$1,857,735.75

Amend the paragraph relative to the appropriation for planning and development commission by striking out "Franklin Pierce centennial $500.00" and inserting in place thereof the following: Franklin Pierce centennial **500.00.

Further amend said paragraph by adding the following: **This appropriation shall be paid to the special Franklin Pierce centennial committee.

Amend section 1 of the bill by striking out the appropriation "For water pollution commission:

Personal services	$36,610.00	
Current expenses	6,050.00	
Travel	8,700.00	
Equipment	400.00	
Total for water pollution commission		$51,760.00"

and inserting in place thereof the following:

For Water pollution commission:		
Personal services	$35,610.00	
Current expenses	5,050.00	
Travel	7,500.00	
Equipment	400.00	
Total		$48,560.00

New England Interstate Water Pollution Control Commission:		
Personal Services	$1,000.00	
Current expenses	1,000.00	
Travel	1,200.00	
Total		3,200.00
Total for water pollution commission		$51,760.00

Amend section 1 of the bill by striking out "Total net appropriation $14,468,149.49" and inserting in place thereof the following:

Total net appropriation $14,573,149.49.

The report was accepted.

On motion of Mr. Pillsbury of Manchester, House Bill No. 442 was laid upon the table and made a special order for Thursday, May 21 at 11:01 o'clock.

Mr. Ferguson of Pittsfield for the Committee on Appropriations to whom was referred House Bill No. 443, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1955. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by inserting after "Total for executive branch $216,680.00" the following: †Salaries paid out of this appropriation shall be at levels set by the governor.

Amend the paragraph relative to custodial care in the state prison by inserting after the appropriation for equipment the following: Custody of certain inmates **5,000.00.

Further amend the paragraph by striking out the figure "230,977.89" and inserting in place thereof the figures $235,977.89.

Further amend said paragraph by adding the following: **This appropriation shall be available for the custody of unmanageable inmates in out-of-state institutions or Federal Penitentiaries when no suitable institutions exist in New Hampshire. Any payments out of this appropriation shall be made with the approval of the Governor and Council. This fund may also be used for such inmates who have been sent

to such out-of-state institutions from the Laconia state school, the industrial school and the state hospital.

Amend section 1 of the bill by striking out in the appropriation for state prison "Total for state prison $326,701.09" and inserting in place thereof, Total for state prison $321,-701.09.

Amend section 1 of the bill by striking out in appropriation for state prison "Net appropriation $300,492.09" and inserting in place thereof, Net appropriation $305,492.09.

Amend section 1 of the bill in the appropriation for the Board of Education by striking out under Foundation aid: the words and figures "State aid to school districts 800,000.00" and inserting in place thereof the words and figures, State aid to school districts 900,000.00.

Amend section 1 of the bill in the appropriation for the Board of Education by striking out under Foundation aid: the word and figures "Total 807,000.00" and inserting in place thereof the word and figures, Total 907,000.00.

Amend section 1 of the bill in the appropriation for the Board of Education by striking out

"Total for board of education	$2,526,890.75
Less revenue	760,725.00
Net appropriation	$1,756,165.75"

and inserting in place thereof

Total for board of education	$2,626,890.75
Less revenue	760,725.00
Net appropriation	$1,856,165.75

Amend section 1 of the bill by striking out the appropriation:

"For water pollution commission:

Personal services	$36,870.00	
Current expenses	6,050.00	
Travel	8,700.00	
Equipment	400.00	
Total for water pollution commission		$52,020.00"

and inserting in place thereof the following:

For water pollution commission:		
Personal services	$35,970.00	
Current expenses	5,050.00	
Travel	7,500.00	
Equipment	400.00	
Total		$48,920.00
Interstate		
New England Water Pollution Control Commission:		
Personal services	$1,000.00	
Current expenses	1,000.00	
Travel	1,200.00	
Total		3,200.00
Total for water pollution commission		$52,120.00

Amend section 1 of the bill by striking out "Total net appropriation $14,516,395.59," and inserting in place thereof the following: Total net appropriation $14,621,495.59.

The report was accepted.

On motion of Mr. Pillsbury of Manchester House Bill No. 443, was laid upon the table and made a Special Order for Thursday, May 21 at 11:02 o'clock.

Mr. Fuller of Hanover for the Committee on Executive Departments and Administration to whom was referred Senate Bill No. 89, An Act relative to affidavits to be executed by candidates and elected officials. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Morey of Hart's Location for the Committee on Public Works to whom was referred Senate Bill No. 82, An Act relative to maintenance of certain covered bridges. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Spaulding of Hudson for the Committee on Public Works to whom was referred House Joint Resolution No. 21, Joint Resolution relative to preserving the characteristic covered bridges. Having considered the same, reported the same with the following Resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by other legislation.

The report was accepted and the resolution of the committee adopted.

Taken from the Table

House Bill No. 322, An Act relative to decreasing the length of season for the taking of wild deer.

The question being on the amendment, as printed in the Journal of May 14.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled joint resolution sent up from the House of Representatives:

House Joint Resolution No. 48, Joint Resolution in favor of Harold E. and Mary F. Wentworth.

The message further announced that:

The Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

Senate Bill No. 86, An Act relating to the transfer of public utility property.

Senate Bill No. 88, An Act relative to fishing in upper Connecticut River.

The message further announced that:

The Senate had voted to reconsider House Bill No. 312, An Act providing for a revolving fund for use by the state technical institutes, and have recommitted the bill to a joint committee of Education and Finance.

The message further announced that:

The Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following Senate Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

Senate Bill No. 40, An Act relative to the salary of the treasurer of Grafton County.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to salaries of treasurer and county solicitor of Grafton county.

On motion of Mr. McMeekin of Haverhill the House concurred in the adoption of the amendments proposed by the committee on engrossed bill.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that:

The Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 9, An Act relative to fees of registers of deeds.

Senate Bill No. 77, An Act relative to child labor.

Senate Bills Read and Referred

The following bills were severally introduced, read a first and second time, and referred as follows:

Senate Bill No. 9, An Act relative to fees of registers of deeds. To the Committee on Judiciary.

Senate Bill No. 77, An Act relative to child labor. To the Committee on Labor.

Resolution

Mrs. Brungot of Berlin offered the following resolution:

Resolved, that the Berlin Delegation be instructed to report into the House next Tuesday, May 26 the following bills:

House Bill No. 81, An Act relative to the salary of the special justice of the municipal court of Berlin.

House Bill No. 374, An Act relative to ward lines of the city of Berlin and salary of library trustees and recreational trustees.

The question being on the resolution.

(Discussion Ensued)

Mrs. Brungot of Berlin spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

Mrs. Funkhouser of Durham offered the following resolution:

Whereas, we, the members of the House of Representatives, have learned that today, May 20th, is the birthday of our honorable colleague Albert D. Littlehale of Durham, and

Whereas, we are pleased to learn that said Mr. Littlehale has reached the happy age of sixty nine, Now therefore be it

Resolved, that we hereby extend to him our heartiest congratulations and felicitations on the memorable event and wish him many more happy birthdays, and be it further

Resolved, that when the House adjourns today, it adjourn in honor of Mr. Littlehale.

On a *viva voce* vote the resolution was adopted.

Mr. Ferguson of Pittsfield offered the following resolution:

Whereas, Wakefield Dort, Representative from Chesterfield and Chairman of the Committee on Resources, Recreation and Development, is ill in hospital, and

Whereas, His illness has taken him away from his devoted services in the interest of the State of New Hampshire, therefore be it

Resolved, That we extend to our fellow member our deep sympathy in his illness and our best wishes for a speedy recovery to health and his return to the Legislature.

On a *viva voce* vote the resolution was adopted.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles only.

Third Readings

House Bill No. 332, An Act relative to decreasing the length of season for the taking of wild deer.

House Bill No. 423, An Act providing for a salary increase for classified state employees.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 82, An Act relative to maintenance of certain covered bridges.

Senate Bill No. 89, An Act relative to affidavits to be executed by candidates and elected officials.

Senate Joint Resolution No. 4, Joint Resolution in favor of Marie Audet.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Miss Woodward of Waterville at 11:52 o'clock the House adjourned.

THURSDAY, MAY 21, 1953

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O God, who in Thy Son Jesus Christ didst incarnate the great principles Thou wished to give to the world; Help us, weak human beings though we are, to more fully understand that it is our duty to clothe these great basic truths in flesh and blood. Make our trust in Thee a living trust, a trust that expresses itself in our actions as well as in our words; make our much vaunted courage something more than a declaration in words — a living expression of what we say we are, what we call courage; make our talk of freedom and democracy something to be lived and practiced in daily life. Help us our God to clothe with flesh and blood these principles that have made and preserved us a nation and, are our only hope for the future. We ask it in the name of Him of whom it was said: "The Word became flesh and dwelt among us." *Amen.*

Presentation of Gavels

The Senate and House of Representatives being in joint convention:

The Honorable Styles Bridges, United States Senator from New Hampshire presented to the President of the Senate and

the Speaker of the House gavels made from the wood of the George Washington elm, appropriately inscribed.

On motion of Senator Jackson of District No. 11 the convention rose.

House

Leaves of Absence

Mr. Maynard of Nashua, Deans of Milford, and Nickerson of Tamworth were granted leave of absence for the day on account of important business.

Report of Committee on Engrossed Bills

Mrs. Landers of Keene for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled Senate Joint Resolution, Senate and House Bills:

Senate Joint Resolution No. 4, Joint Resolution in favor of Marie Audet.

Senate Bill No. 32, An Act relating to borrowings by, real estate loans and reserves of building and loan associations.

Senate Bill No. 40, An Act relative to salaries of treasurer and county solicitor of Grafton county.

Senate Bill No. 89, An Act relative to affidavits to be executed by candidates and elected officials.

House Bill No. 225, An Act to amend the charter of New Ipswich Academy relative to the board of trustees.

The report was accepted.

Mr. Tilton of Laconia for the Committee on Appropriations to whom was referred House Bill No. 439, An Act providing for additional appropriations for certain departments and institutions for the fiscal years ending June 30, 1952 and 1953. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 of the bill under administration and control for division of buildings and grounds by striking out the figures "7,500.00" and inserting in place the figures, 7,800.00.

Further amend said section by adding after "Lookout Watchman 4,582.46" the words and figures, Supreme Court 300.00.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Ford of Wolfeboro for the Committee on Education to whom was referred House Bill No. 426, An Act to establish a department of televised education at the University of New Hampshire and to provide facilities therefor. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out the title and inserting in place thereof the following:

An Act establishing a commission to study the use of assigned television channels 11 and 41 for educational purposes.

Further amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *State Commission on Educational Television.* There is hereby established and created a commission to be known as the New Hampshire State Commission on Educational Television which shall consist of not less than seven citizens of the state. The governor shall appoint the membership of the commission and, in so doing, shall arrange his appointments so that the membership of the commission, as nearly as possible, shall represent education, industry, agriculture and the public at large. The governor shall designate the chairman of said commission and thereafter said commission shall determine its own organization and methods of procedure.

2. *Term of Office.* Members shall be appointed to serve on the commission for two years or until its work is completed or as shall be determined by the governor.

3. *Duties.* The commission shall be empowered and authorized to make a comprehensive study to ascertain the need and the advisability for educational television facilities in New Hampshire which shall include such considerations as follows:

I. The public to be served and benefited by the educational and cultural advantages of educational television.

II. The location and power of the two channels, 11 and 41, now assigned to New Hampshire by the F. C. C. in order to secure the best possible population coverage.

III. Engineering aspects of establishing a state-wide educational television system for New Hampshire.

IV. Surveys of program resources.

V. Estimated capital and operational costs with methods of financing.

VI. The role commercial television stations can play in the state as transmitters of educational programs.

VII. Plans and arrangements as may be appropriate and desirable for the organization, the allocation, operation, management, control of television facilities for educational and cultural purposes.

4. The commission shall be authorized to conduct such liaison and interstate planning and studies with adjacent states as may be desirable in the furtherance of educational television and to investigate the benefits of affiliation with extra-state educational television channels.

5. The commission may request and shall receive from any department, division, board, district, bureau or agency of the state or of anv political sub-division thereof such assistance and data as well enable it properly to discharge its duties and responsibilities hereunder.

6. The commission may employ technical help, concultants and other personnel as it may deem necessary for the performance of its functions and fix their compensation.

7. The commission is authorized to make and carry out whatever plans it may deem necessary for informing the citizens of New Hampshire concerning the nature of educational television.

8. The members of the commission shall receive no compensation for their services but may be reimbursed for the expenses actually and necessarily incurred in the performance of their duties hereinunder.

9. The commission shall take whatever action it may deem necessary as may not be stated here, in pursuance of its understood purpose.

10. The commission shall work under the general direction of the governor and shall make periodic reports to the Legislative Council. The commission shall make a final report to the Legislative Council on or before October 30, 1954 which shall include recommendations for appropriate legislation for submission to the 1955 session of the general court.

11. *How Financed.* The commission shall be empowered to seek, receive and disburse such monies from foundations and from other private sources as may be placed at its disposal to further the purposes of the commission. An account of such receipts and disbursements shall be rendered to the governor at the termination of the commission's service.

12. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, and the amendment laid upon the table to be printed under rule 48.

Mr. Holden of Hanover for the Committee on Judiciary to whom was referred House Bill No. 440, An Act to repeal charters of certain corporations. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words and figures "Fletcher Corporation (Milford, 1949)" in line eighty-one.

The report was accepted.

The question being on the amendment.

On motion of Mr. Wells of Newton, reading of the amendment was dispensed with.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mrs. Brungot of Berlin for the Committee on Judiciary to whom was referred Senate Bill No. 94, An Act relating to guardians' licenses to sell chattels. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Lareau of Manchester for the Committee on Labor to whom was referred House Bill No. 285, An Act relative to labor disputes and unemployment compensation. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend paragraph (4) of sub-section D. as amended by section 1 of the bill by striking out said paragraph and in-

serting in place thereof the following: (4) The stoppage of work has continued for a period of one week after the termination of the labor dispute.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Belcourt of Nashua for the Committee on Labor to whom was referred House Bill No. 419, An Act relating to unemployment compensation. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Waterhouse of Windham for the Committee on Ways and Means to whom was referred House Bill No. 437, An Act relative to the retirement of the federal government from the field of motor fuel taxation. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Governor and Council Authorized.* In the event that Congress repeals the federal tax on gasoline and motor fuel sold within this state, the governor and council are hereby authorized and empowered to increase the state motor vehicle road toll and the airways toll by an amount equal to the amount of said repealed federal tax on gasoline and motor fuel. Said additional amount per gallon shall be collected in addition to and administered in the same manner as is already provided for motor vehicle road tolls by Revised Laws, chapter 120, and shall be paid into the highway fund in relation to the motor vehicle road toll and to the aeronautical fund in relation to the Airways toll.

2. *Further Authorization.* In the event the federal government shall continue to collect a federal tax on gasoline and shall enact legislation returning said tax, for highway and aeronautical purposes, to the state in which it originated, the governor and council are hereby authorized to accept such federal payment and transfer it to the highway fund and to the aeronautical fund respectively.

3. *Expenditure.* Any additional funds accruing to the highway fund on account of the provisions of this act may be

expended for the construction, reconstruction and betterment of Class I, Class II, Class IV and Class V highways in addition to the appropriation made by section 4, chapter 83, Laws of 1951, and chapter 34, Laws of 1953 and such aeronautical funds may be expended in accordance with the provisions of section 9, chapter 281, Laws of 1947.

4. *Takes Effect.* This act shall take effect upon its passage and shall expire on June 30, 1955, provided, however, that the imposition and collection of said tax provided in section 1 of this act shall not commence until the effective date of such federal enactment.

The report was accepted, and the amendment laid upon the table to be printed under rule 48.

Mr. Maxham of Concord for the Committee on Public Welfare and State Institutions to whom was referred House Bill No. 446, An Act relative to transfer of certain inmates of Laconia State School. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following: 1. *Transfer.* Amend chapter 129 of the Revised Laws by inserting after section 9 the following new sections: 9-a. *Defective Delinquents.* Whenever any inmate of the Laconia State School becomes, in the opinion of the trustees thereof, defectively delinquent and his continued confinement therein a continuing danger to other inmates, such defective delinquent inmate may be committed to any other suitable institution, including the state hospital, within or without the state of New Hampshire, as he superior court shall order. 9-b. *Expenses.* The provisions of sections 34, 35, 36, 37 and 38 of chapter 464 of the Revised Laws shall apply to the care and custody of such defective and dangerous delinquents when in the opinion of the superior court no suitable institution for their continued confinement exists within the state of New Hampshire. 9-c. *Modification of Order.* The superior court shall have continuing jurisdiction to modify its orders in such cases and shall consider petitions for further commitment as may be brought by trustees of the receiving institution.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Resolution

Mr. Kearns of Manchester offered the following resolution:

Resolved, That the Legislative Council be requested to make a complete study of Chapter 148, Laws of 1951, An Act to Assist Needy School Districts and be it further

Resolved, That the Council return its findings and recommendations, together with the proposed Legislation to the 1955 Legislature for such action as that body may deem appropriate.

The question being on the resolution.

(Discussion Ensued)

Messrs. Kearns of Manchester and Vaughan of Newport spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

Special Order

Mr. Pillsbury of Manchester called for the special order for 11:01 o'clock, it being House Bill No. 442, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1954.

The question being on the amendment as printed in the Journal of May 20 with the additional amendment as printed herewith.

Amend section 1 of the bill in the appropriation for the Board of Education by striking out under foundation aid: the words and figures "State aid to school districts 800,000.00" and inserting in place thereof the words and figures, State aid to school districts 900,000.00.

Amend section 1 of the bill in the appropriation for the Board of Education by striking out under Foundation aid the word and figures "Total 807,000.00" and inserting in place thereof the word and figures, Total 907,000.00.

Amend section 1 of the bill in the appropriation for the Board of Education by striking out

"Total for board of education	$2,492,486.75
Less revenue	734,751.00
	$1,757,735.75"

and inserting in place thereof

Total for board of education	$2,592,486.75
Less revenue	734,751.00
	$1,857,735.75

Amend section 1 of the bill by striking out "Total net appropriation $14,468,149.49" and inserting in place thereof the following:

Total net appropriation	$14,573,149.49

On a *viva voce* vote the amendment was adopted.

Mr. Metcalf of Tilton offered the following amendment:

Amend section 1 of the bill in the appropriation for chiropractic examiners by striking out the figure 400.00 for personal services and inserting in place thereof the figure 700.00.

Further amend said appropriation by striking out "Total for chiropractic examiners $1,200.00" and inserting in place thereof Total for chiropractic examiners $1,500.00

The question being on the amendment.

(Discussion Ensued)

Messrs. Metcalf of Tilton and McMeekin of Haverhill spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Baron of Claremont offered the following amendment.

Amend section 1 of the bill by striking out in the appropriation for planning and development commission for "Personal services $107,695.77" and inserting in place thereof, Personal services $90,000.00.

Amend section 1 of the bill by striking out in the appropriation for planning and development commission for "Current expenses $95,290.00' and inserting in place thereof, Current expenses $30,000.00.

Amend section 1 of the bill by striking out in the appropriation for planning and development commission for "Travel $10,850.00" and inserting in place thereof, Travel $7,000.00.

Amend section 1 of the bill by striking out in the appropriation for planning and development commission for "Equipment $1,575.00" and inserting in place thereof, Equipment $1,275.00.

Amend section 1 of the bill by striking out in the appropriation for planning and development commission "Total for

planning and development commission $249,910.77" and inserting in place thereof, Total for planning and development commission $162,775.00.

Amend section 1 of the bill by striking out in the appropriation for planning and development commission for "Net appropriation $248,710.77" and inserting in place thereof, Net appropriation $161,575.00.

Amend section 1 of the bill by striking out "Total net appropriation $14,468,149.49" and inserting in place thereof the following, Total net appropriation $14,381,013.72.

The question being on the amendment.

(Discussion Ensued)

Mr. Baron of Claremont spoke in favor of the amendment.

Messrs. Malley of Somersworth, Angus of Claremont, Barry of Wilton, McMeekin of Haverhill, Pillsbury of Manchester, and Perley of Lebanon spoke against the amendment.

Mr. Bell of Plymouth moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by the member from Claremont.

On a *viva voce* vote the amendment was not adopted.

Mr. McMeekin of Haverhill offered the following:

Amend section 1 of the bill by striking out "Total net appropriation $14,468,149.49" and inserting in place thereof the following:

Total net appropriation $14,573,449.49

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Pillsbury of Manchester called for the Special order for 11:02 o'clock, it being House Bill No. 443, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1955.

The question being on the amendments as printed in the journal of May 20 with the additional amendment as printed herewith.

Amend section 1 of the bill in the appropriation for the Board of Education by striking out under Foundatin aid: the words and figures "State aid to school districts 800,000.00" and inserting in place thereof the words and figures, State aid to school districts 900,000.00.

Amend section 1 of the bill in the appropriation for the Board of Education by striking out under Foundation aid: the word and figures "Total 807,000.00" and inserting in place thereof the word and figures, Total 907,000.00.

Amend section 1 of the bill in the appropriation for the board of Education by striking out

"Total for board of education	$2,516,890.75
Less revenue	760,725.00
Net appropriation	$1,756,165.75"

and inserting in place thereof

Total for board of education	$2,616,890.75
Less revenue	760,725.00
Net appropriation	$1,856,165.75

Amend section 1 of the bill by striking out "Total net appropriation $14,516,395.59" and inserting in place thereof the following:

Total net appropriation	$14,621,495.59

On a *viva voce* vote the amendment was adopted.

Mr. Metcalf of Tilton offered the following amendment.

Amend section 1 of the bill in the appropriation for chiropractic examiners by striking out the figure 400.00 for personal services and inserting in place thereof the figure 700.00.

Further amend said appropriation by striking out "Total for chiropractic examiners $1,200.00" and inserting in place thereof Total for chiropractic examiners $1,500.00.

On a *viva voce* vote the amendment was adopted.

Mr. McMeekin of Haverhill offered the following amendment:

Amend section 1 of the bill by striking out "Total net appropriation $14,516,395.59" and inserting in place thereof the following:

Total net appropriation	$14,621,795.59

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Senate Message

The Senate had voted to adopt the following concurrent resolution in the adoption of which the Senate asks the concurrence of the House of Representatives:

Whereas the people of New Hampshire are mindful of the contribution to democratic thought and institutions derived from British genius, and

Whereas the people of New Hampshire esteem the close association of its citizens with those of Great Britain and the British Commonwealth in the never ending fight for freedom, and

Whereas this year marks the Coronation of Her Majesty Queen Elizabeth II: Now, therefore, be it

Resolved by the Senate and House of Representatives of the State of New Hampshire, in General Court convened,

That felicitations be extended to the people of Great Britain and the British Commonwealth on this happy occasion.

And be it further Resolved that a copy of these resolutions be transmitted by the Secretary of State to the British Embassy in Washington, D. C. to be forwarded to Her Majesty Queen Elizabeth II.

On motion of Mr. English of Hancock the House concurred in the adoption of the Concurrent Resolution, sent down from the Honorable Senate.

The message also announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 345, An Act establishing the uniform reciprocal enforcement of support act.

Amend section 3 of part 1 of the bill by striking out the section and substituting therefor the following:

3. *Remedies Additional to Those now Existing.* The remedies provided in part 3 hereof are in addition to and not in substitution for any other remedies.

Further amend the bill by striking out section 5 of part 2 thereof and substituting therefor the following:

5. *Interstate Rendition.* In any case wherein the obligee has previously initiated appropriate civil procedures which are still pending in this state or any other state of the United States to compel the rendition of support alleged to be due, the governor of this state (1) may demand from the governor of any other state the surrender of any person found in such other state who is charged in this state with the crime of failing to provide for the support of any person in this state and (2) may surrender on demand by the governor of any other state any person found in this state who is charged in such other state with the crime of failing to provide for the support of a person in such other state. The provision for extradition of criminals not inconsistent herewith shall apply to any such demand although the person whose surrender is demanded was not in the demanding state at the time of the commission of the crime and although he had not fled therefrom. Neither the demand, the oath nor any proceedings for extradition pursuant to this section need state or show that the person whose surrender is demanded has fled from justice, or at the time of the commission of the crime was in the demanding or the other state.

On motion of Mr. Wells of Newton the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 40, An Act relative to the keeping of wild animals for exhibition to the public.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Exhibiting Wild Animals.* Amend chapter 249 of the Revised Laws by inserting after section 3 the following new section: 3-a. *Enclosures and Cages; Exceptions.* No person shall exhibit live wild animals to the public unless the enclosures or cages in which the same are kept are of such construction and design as to prevent accidental contact between such animals and the public, nor until the director of fish and game or his agent shall have approved in writing the design and construction of such enclosures or cages. The provisions

of this section shall not be deemed to refer to the exhibition of live wild animals not native to this state by persons operating a regularly organized circus, or animal breeding or training farms.

On motion of Mr. Washburn of Bartlett the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 75, An Act relative to payment of forest fire expenses in unorganized places.

House Bill No. 110, An Act establishing an interim commission for the study of development of Lake Winnipesaukee.

House Bill No. 194, An Act relative to the bag limit for taking raccoons.

House Bill No. 225, An Act to amend the charter of New Ipswich Academy relative to the board of trustees.

House Bill No. 227, An Act relative to residential requirements and registration of voters.

House Bill No. 318, An Act relative to motor vehicle operator's licenses held by military personnel.

The message further announced that:

The Senate refused to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions, sent up from the House of Representatives:

House Bill No. 346, An Act relative to fees for stamping beaver skins.

House Bill No. 395, An Act relating to historical markers.

House Bill No. 421, An Act relative to the Division of Investigation of Accounts.

The message further announced that:

The Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 163, An Act relating to the determination of adjusted valuation for school aid purposes and the President

appointed as members of such Committee on the part of the Senate, Senator Jackson of District No. 11, and Adams of District No. 22.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolutions:

Whereas, on or about Thursday, May 14, 1953, information was released by Charles E. Wilson, Secretary of Defense, whereby the citizens of New Hampshire were told of the abandonment of plans for constructing the Portsmouth Air Force Base and

Whereas, several million dollars have been spent in preliminary work, purchase of land and facilities by the Federal Government for the Portsmouth Air Force Base, and

Whereas, the abandonment of the construction of said Portsmouth Air Force Base means a loss of several millions of dollars to the craftsmen and people of New Hampshire, and

Whereas, the construction of the Portsmouth Air Force Base has been stated to be of strategic importance to the defense of our country,

Now therefore be it resolved by the Senate and House of Representatives in General Court convened:

That we do hereby petition our Senators and Representatives in the Congress of the United States to use all honorable means within their power to bring about the reinstatement of the construction of the Portsmouth Air Force Base at the earliest opportunity, in order that the people of New Hampshire may realize the benefits therefrom, and be it further

Resolved, that a copy of these resolutions be transmitted by the Secretary of State to the Senators and Representatives in Congress from the State of New Hampshire for their immediate action.

The message also announced that:

The Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 13, An Act relative to judges of probate.

Senate Bill Read and Referred

Senate Bill No. 13, An Act relative to judges of Probate.

Read a first and second time and referred to the Committee on Judiciary.

Resolution

On motion of Mr. Wadleigh of Milford the rules were so far suspended as to allow the third readings of bills be by their titles only and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

Third Readings

House Bill No. 285, An Act relative to labor disputes and unemployment compensation.

House Bill No. 439, An Act providing for additional appropriations for certain departments and institutions for the fiscal years ending June 30, 1952 and 1953.

House Bill No. 440, An Act to repeal charters of certain corporations.

House Bill No. 442, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1954.

House Bill No. 443, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1955.

House Bill No. 446, An Act relative to transfer of certain inmates of Laconia State School.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 94, An Act relating to guardians' licenses to sell chattels.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Martin of Littleton at 12:46 o'clock the House adjourned.

TUESDAY, MAY 26, 1953

The House met according to adjournment.

Prayer was offered by Guest Chaplain Wilfred H. Bunker, Durham Community Church.

Eternal God, who ruleth above this state and this nation and above the nations, give us grace to remember that it is Thou who hast given us dominion over the world within which we live. Help us to remember this in order that we may not be tempted to vain-glory and to pride — thinking of ourselves more highly than we ought. Renew and support within us a right spirit — a spirit of concern for all the people of this state, and for all the things which affect the lives of this people. Keep us steadfast in the right as Thou hast given us to see the right, that thus we may live at peace with others and be at peace within ourselves. Give us vision, we pray Thee, and courage and tolerance and wisdom. This we ask in Thy holy name. *Amen.*

Leaves of Absence

Mr. Jones of Fremont was granted leave of absence for the day on account of illness.

Mr. Ayer of Nashua was granted an indefinite leave of absence on account of illness.

Messrs. Howe of Claremont, and Hepworth of Derry were granted leave of absence for the week on account of important business.

Messrs. Keenan of Dover, and Eastman of Exeter were granted leave of absence for the week on account of death in the family.

Report of Committee on Engrossed Bills

Mr. Hyde of Andover for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Joint Resolution, Senate and House Bills:

House Joint Resolution No. 49, Joint Resolution to establish an interim commission to study the various phases of nursing.

Senate Bill No. 78, An Act relating to evidence in actions by or against the representatives of deceased persons.

Senate Bill No. 82, An Act relative to maintenance of certain covered bridges.

Senate Bill No. 94, An Act relating to guardians' licenses to sell chattels.

House Bill No. 40, An Act relative to the keeping of live wild animals for exhibition to the public.

House Bill No. 75, An Act relative to payment of forest fire expenses in unorganized places.

House Bill No. 110, An Act establishing an interim commission for the study of development of Lake Winnipesaukee.

House Bill No. 194, An Act relative to the bag limit for taking raccoons.

House Bill No. 227, An Act relative to residential requirements and registration of voters and to reports of political expenditures.

House Bill No. 345, An Act establishing the uniform reciprocal enforcement of support act.

The report was accepted.

Personal Privilege

Mrs. Richards of Exeter rose to a point of personal privilege and stated her desire to be recorded as being in favor of the Newington Air Force Base.

Committee Reports

Senate Bill No. 69, An Act relative to the duties of the New Hampshire Commission on Interstate Cooperation was withdrawn by the Chairman of the Committee on Appropriations.

Mr. Pillsbury of Manchester for the Committee on Appropriations to whom was referred House Bill No. 316, An Act to provide more adequate accommodations on public recreational areas. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by adding at the end of Paragraph I the following: as follows:

Franconia Notch	Cannon Mt. Ski Extension	$305,000.00
Franconia Notch	Electric Power Cable	25,000.00
White Lake	Extension of Beach & Picnic	

	Area, Construction of Vending Stand	12,000.00
Kingston	Combination Toilet & Dressing Bldg.	10,000.00
Bear Brook	Toilet Building	10,000.00
Silver Lake	General Development Project	125,000.00
Franklin Pierce Homestead	Building Repairs & Landscaping	10,000.00
Mt. Sunapee	Ski Extension	150,000.00
	Total Cost to Construct	$647,000.00

Further amend section 1 by striking out paragraphs "II" and "III".

Amend section 3 by striking out the words "five hundred and twenty" in the first and second lines and inserting in place thereof the words, six hundred forty-seven, so that said section as amended shall read as follows: 3. *Appropriation.* A sum not exceeding six hundred forty-seven thousand dollars is hereby appropriated for projects authorized under section 1 as may be approved by the governor and council.

Amend section 4 by striking out the words "five hundred and twenty" in the fourth line and inserting in place thereof the words, six hundred forty-seven, so that said section as amended shall read as follows:

4. *Bonds or Notes Authorized.* For the purpose of providing funds necessary for the appropriation made by section 3 the state treasurer is hereby authorized, under the direction of the governor and council, to borrow on the credit of the state from time to time a total of six hundred forty-seven thousand dollars for the purpose of carrying into effect the provisions hereof and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council, the maturity dates of such bonds or notes shall be determined in each case by the governor and council but in no case shall they be later than 1963. All bonds or notes, except short-term loans, issued under the provisions hereof shall be sold (1) at public sealed bidding (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire, the first publication being not less than

thirty days prior to the day the bids will be received, and (3) to the highest bidder. The governor and council may reject any or all bids.

Amend section 6 by striking out the words "five hundred and twenty" in the sixth line and inserting in place thereof the words, six hundred forty-seven, so that said section as amended shall read as follows: 6. *Short-term Loans.* Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short-term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no one time shall the indebtedness of the state on such short-term loans exceed the sum of six hundred forty-seven thousand dollars.

The report was accepted.

On motion of Mr. McMeekin of Haverhill, reading of the amendment was dispensed with.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Pillsbury of Manchester for the Committee on Appropriations to whom was referred House Bill No. 366, An Act to lay out and construct a continuous highway on a new location across the southeast corner of the state of New Hampshire westerly of the present U. S. No. 1 and to extend said highway northwesterly towards the lakes and mountain regions. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 5 of the bill by adding after the word "state" in the twenty-first line the following; The governor may authorize his countersignature on said bonds to be by facsimile signature, so that said section as amended shall read as follows:

5. *Borrowing Power.* The state treasurer is hereby authorized under the direction of the governor and council to borrow upon the credit of the state a sum not exceeding twenty-one million three hundred thousand dollars ($21,300,000) for the purpose of carrying into effect the provisions of this act and for that purpose may issue bonds in the name and on behalf of the State of New Hampshire at a rate of interest to

be determined by the governor and council.

The maturity dates of such bonds shall be determined by the governor and council but in no case shall they be later than thirty years from the date of issue and may be redeemable before maturity at the option of the governor and council at such price or prices and under such terms and conditions as may be fixed by the governor and council prior to the issuance of the bonds. Such bonds shall contain an express guarantee which shall be deemed a contract on the part of the state that tolls will be collected in accordance with the provisions of this act until the date of maturity of said bonds or until sufficient money shall have accumulated to pay said bonds and the interest thereon at or prior to dates of maturity. The bonds shall be in such form and such denominations as the governor and council shall determine, may be registerable as to both principal and interest shall be countersigned by the governor, and shall be deemed a pledge of the full faith and credit of the state. The governor may authorize his countersignature on said bonds to be by facsimile signature.

The secretary of state shall keep an account of all such bonds showing the number and amount of each, the time and date of countersigning, the date of delivery to the treasurer, and the date of maturity.

The state treasurer shall keep an account of each bond showing the number thereof, the name of the person to whom sold, the amount received from the same, the date of the sale and the date of maturity.

Amend section 7 by striking out the word "thirty" in the sixth line and inserting in place thereof the word, fifteen, so that said section as amended shall read as follows:

7. *Sale of Bonds or Notes.* All bonds or notes (except short-term loans) issued under the provisions of this act shall be sold (1) at public sealed bidding (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire and in a financial publication of national circulation, the first publication being not less than fifteen days prior to the day the bids will be received, and (3) to the highest bidder. The governor and council may reject any or all bids, and/or negotiate with the highest responsible bidder.

The proceeds from the sale of such bonds shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purpose of this act alone and the governor with the advice and consent of the council, shall draw his warrant for the payment from the funds provided by this act of all sums expended or due for the purposes herein authorized, provided, however, that such expenditures or commitments shall not exceed the sum of five million dollars ($5,000,000) prior to July 1, 1955. All interest from such bonds shall be exempt from taxation within the state of New Hampshire.

The report was accepted.

On motion of Mr. McMeekin of Haverhill reading of the amendment was dispensed with.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Reconsideration

Mr. Scamman of Stratham moved that the House reconsider its vote whereby it ordered to a third reading House Bill No. 366.

On a *viva voce* vote the motion prevailed.

The question being on the amendment offered by the Committee on Public Works as amended by the Committee on Appropriations.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Pillsbury of Manchester for the Committee on Appropriations to whom was referred House Bill No. 367, An Act to lay out and construct a central New Hampshire turnpake. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out paragraph "(h)" and relettering paragraphs "(i), (j), (k), (l), (m) and (n)" to read, (h), (i), (j), (k), (l) and (m).

Amend section 4 of the bill by adding after the word "state" in the twenty-first line the following, The governor may authorize his countersignature on said bonds to be by facsimile signature, so that said section as amended shall read as follows:

4. *Borrowing Power.* The state treasurer is hereby authorized with the approval of the governor and council to borrow upon the credit of the state a sum not exceeding nineteen million three hundred fifty thousand dollars ($19,350,000) for the purpose of carrying into effect the provisions of this act and for that purpose may issue bonds in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council.

The maturity dates of such bonds shall be determined by the governor and council but in no case shall they be later than thirty years from the date of issue and may be redeemable before maturity at the option of the governor and council at such price or prices and under such terms and conditions as may be fixed by the governor and council prior to the issuance of the bonds. Such bonds shall contain an express guarantee which shall be deemed a contract on the part of the state that tolls will be collected in accordance with the provisions of this act until the date of maturity of said bonds or until sufficient money shall have accumulated to pay said bonds and the interest thereon at or prior to the dates of maturity. The bonds shall be in such form and such denominations as the governor and council shall determine, may be registerable as to both principal and interest, shall be countersigned by the governor, and shall be deemed a pledge of the full faith and credit of the state. The governor may authorize his countersignature on said bonds to be by facsimile signature.

The secretary of state shall keep an account of all such bonds showing the number and amount of each, the time and date of countersigning, the date of delivery to the treasurer and the date of maturity.

The state treasurer shall keep an account of each bond showing the number thereof, the name of the person to whom sold, the amount received from the same, the date of the sale and the date of maturity.

Amend section 6 by striking out the word "thirty" in the sixth line and inserting in place thereof the word, fifteen, so that said section as amended shall read as follows:

6. *Sale of Bonds or Notes.* All bonds or notes (except short term loans) issued under the provisions of this act shall be sold (1) at public sealed bidding (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation

in New Hampshire and in a financial publication of national circulation, the first publication being not less than fifteen days prior to the day the bids will be received, and (3) to the highest bidder. The governor and council may reject any or all bids, and/or negotiate with the highest responsible bidder.

The proceeds from the sale of such bonds shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act alone, and the governor, with the advice and consent of the council, shall draw his warrant for the payment from the funds provided by this act of all sums expended or due for the purposes herein authorized, provided however, that such expenditure or commitments shall not exceed the sum of fifteen million dollars ($15,000,000) prior to July 1, 1955. All interest from such bonds shall be exempt from taxation within the state of New Hampshire.

The report was accepted.

On motion of Mr. McMeekin of Haverhill, reading of the amendment was dispensed with.

The question being on the amendment to the pending amendment, offered by the Committee on Public Works.

On a *viva voce* vote the amendment was adopted.

The question being on the amendment of the Committee on Public Works as amended by the Committee on Appropriations.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Ferguson of Pittsfield for the Committee on Appropriations to whom was referred House Bill No. 403, An Act to provide for a state tax study. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Tax Study Authorized.* The legislative council is hereby authorized and requested to examine and study the statutes of this state relative to taxes assessed and collected by the state and by all governmental subdivisions thereof. Said council shall make a report of its study and investigation of such tax matters to the 1955 legislature together with recommendations for revision or changes in said tax laws.

2. *Appropriation.* The sum of two thousand dollars is hereby appropriated to be expended by the legislative council. The sum hereby appropriated shall be in addition to any sums provided in the biennial appropriation bills for the legislative council. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

3. *Takes Effect.* This act shall take effect on July 1, 1953.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Davis of Hopkinton for the Committee on Appropriations to whom was referred House Joint Resolution No. 6, Joint Resolution in favor of Public Service Company of New Hampshire. Having considered the same, reported the same with the following amendment, and the recommendation that the Joint Resolution as amended ought to pass.

Amend the caption by striking out the same and inserting in place thereof the following: Joint resolution in favor of Richard R. Glines.

Amend the joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of one thousand dollars ($1,000) is hereby appropriated to reimburse Richard R. Glines of Jefferson for injuries sustained by him while acting as a volunteer fireman in the town of Carroll at a fire which occured April 7, 1945. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Wadleigh of Milford for the Committee on Judiciary to whom was referred Senate Bill No. 44, An Act relative to primary elections and state conventions. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Holden of Hanover for the Committee on Judiciary to whom was referred House Bill No. 3, An Act relative to

election campaign receipts and expenditures and their publication. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended be referred to the Legislative Council.

Amend section 5 of said bill by striking out the words "on the third day preceding an" in the second line and inserting in place thereof the words, not later than the close of business on the Friday preceding the; further amend said section by striking out the words "within fifteen days" in the thirteenth line and inserting in place thereof the words, not later than the second Friday, so that said section as amended shall read as follows:

5. *State Committees.* The state committee of each political party shall file, not later than the close of business on the Friday preceding the election, with the secretary of state, an itemized statement, signed and sworn to by its chairman and treasurer, showing each of its reecipts and those of the party's divisions and parts with the full name and post-office address of the contributor and the amount of the contribution, and each of its expenditures or contracts calling for expenditures, with the full name and address of persons, corporations, committees, or to whomever paid or to be paid, with the specific nature and amount of each expenditure, since the date of the last election; except, if contributions through a local party committee or disbursements to a local party committee do not exceed three hundred dollars no detailed accounting of the further source or recipients of such amounts need be made. Not later than the second Friday after said election another itemized statement, signed and sworn to by the same officers, shall be likewise filed. Enough additional copies of the statement shall be filed to provide a copy for the state committee of each party on the ballot, which they may obtain by application to the secretary of state.

Amend section 7 of said bill by striking out the words and figures "within 15 days" in the fifth line and inserting in place thereof the words, not later than the second Friday, so that said section as amended shall read as follows:

7. *Other Candidates.* Each candidate at the primary or election for councilor, state senator, county officer, or representative to the general court, and candidates for alternate delegate-at-large and alternate district delegate to a national party convention, who has expended a sum in excess of two

hundred dollars, shall, not later than the second Friday after said primary or election, file with the secretary of state, and with the town or city clerk for the town or city in which he resides, a statement in like manner and detail of each receipt and expenditure, covering the period of the candidacy.

Amend section 8 of said bill by striking out the words, "on the third day preceding an" in the third line and inserting in place thereof the words, not later than the close of business on the Friday preceding the; and further amend said section by striking out the words, "fifteen days after an" in the fifth line and inserting in place thereof the words, not later than the second Friday after the, so that said section as amended shall read as follows:

8. *Political Committees.* Each political committee at the primary or election, which has expended a sum in excess of two hundred dollars, shall file, not later than the close of business on the Friday preceding the election, with the secretary of state, a statement in like manner and detail of each reecipt and expenditure, and, not later than the second Friday after the election, another statement in like manner and detail of each receipt and expenditure. If the political committee is organized to support a candidate it shall first secure the written consent of the candidate, before it receives or spends any money or thing of value, and its officers shall file such written consent with the secretary of state immediately.

Amend section 9 of said bill by striking out the words "within fifteen days" in the third line and inserting in place thereof the words, not later than the second Friday, so that said section as amended shall read as follows:

9. *Expenditures Under Two Hundred Dollars.* Each candidate or political committee which does not spend in excess of two hundred dollars at a primary or election shall, not later than the second Friday after the primary or election, file with the secretary of state, and with the town or city clerk for the town or city in which the candidate or treasurer resides, a certified statement that receipts and expenditures have not exceeded two hundred dollars.

Amend section 17 of said bill by striking out the same and inserting in place thereof the following:

17. *Proceeding in Supreme Court.* Any person who alleges that any of the provisions of this chapter relating to the

primary has been violated by or in behalf of a candidate may, not later than the second Tuesday following said primary, bring a proceeding in equity in the supreme court against the person alleged to have violated said provisions. To this proceeding the secretary of state shall be made a party defendant. The supreme court shall forthwith hear such proceeding and make final decision thereof, and if the court shall find that the defendant has violated any of such provisions, a decree shall be entered disqualifying the defendant from becoming a candidate at the ensuing election, and the vacancy thereby created shall be filled by the proper committee as provided in section 52 of Chapter 33 of the Revised Laws. Said appointment shall be made not later than the close of the second business day following said decree of the supreme court.

Amend section 19 by striking out the words "more than one thousand dollars nor less than one hundred" and inserting in place thereof the words, less than one hundred dollars nor more than one thousand, so that said section as amended shall read as follows:

19. *Penalty.* Any person who violates any provision of this chapter shall be fined not less than one hundred dollars nor more than one thousand dollars, or imprisoned not less than thirty days nor more than six months, or both.

The report was accepted.

On motion of Mr. Wells of Newton, reading of the amendment was dispensed with.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the recommendation of the committee adopted.

Mr. Clow of Wolfeboro for the Committee on Public Health to whom was referred Senate Bill No. 75, An Act relative to rules and regulations of the board of pharmacy. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out in the sixth and seventh lines the words "the admission of applicants for registration" so that said section as amended shall read as follows:

1. *Board of Pharmacy.* Amend section 33 of chapter 256 of the Revised Laws, as amended by section 4, chapter 280, Laws of 1949, by striking out said section and inserting in

place thereof the following: 33. *Rules and Regulations.* The board may make and promulgate necessary rules and regulations governing the procedure of the board and the registration of pharmacies hereunder and for the enforcement of this chapter and the carrying out of the intent and purposes herein expressed. It may prescribe and print all application forms and blanks required under the provisions of this chapter. Any person violating any of the rules and regulations promulgated hereunder shall be fined not less than fifty nor more than five hundred dollars.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

House Bill No. 384, An Act relative to use of fees to board of nurse examiners, was withdrawn by the chairman of the Committee on Public Health.

Pursuant to a resolution adopted by the House on Wednesday, May 20, House Bill No. 81, An Act relative to the salary of the Special Justice of the Municipal Court of Berlin and House Bill No. 374, An Act relative to ward lines of the city of Berlin and salary of library trustees and recreational trustees, awaited the action of the House.

Mrs. Brungot of Berlin moved that, House Bill No. 81, An Act relative to the salary of the Special Justice of the Municipal Court of Berlin, be laid upon the table and be made a Special Order for Wednesday, May 27, at 11:01 o'clock.

On a *viva voce* vote the motion prevailed.

House Bill No. 374, An Act relative to ward lines of the city of Berlin and salary of library trustees and recreational trustees.

Reported to the House without recommendation.

Mrs. Brungot of Berlin offered the following amendment.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to ward lines of the city of Berlin.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Berlin Ward Lines.* Amend the paragraph relative to Berlin Ward two of section 2 of chapter 121 of the Laws of 1897, as amended by section 1, chapter 300, Laws of 1913, by striking out said paragraph and inserting in place thereof the

following: Ward two shall include all that part of said city of Berlin lying northwesterly of the Androscoggin river, and lying between the above described line and the following described line: Beginning at the point where the center line of the Androscoggin river is intersected by the line between the property of the International Paper Company and property of the Burgess Sulphite Fibre Company; thence in a direct line to the southwesterly corner of land formerly owned and occupied by Philip St. Laurent to the southerly side line of School Sreet, so-called; thence in a direct line to the intersection of the northerly side line of said School street and the center line of Prospect Street, so-called; thence following the center line of Prospect Street in a northerly direction to the point where it crosses lot line between lots four and five, thence to the right and following lot line between lots four and five to a point where it crosses the center line of Francis Street if projected, thence turning to the left and following center line of Francis Street as projected through to the end of Francis Street, thence continuing along the center line of Francis Street projected to the lot line between lots five and six, thence turning to the left following the lot line between lots five and six until it crosses the Grand Trunk Railroad thence turning to the right and running in a northerly direction along the center lines of the Grand Trunk Railroad to the Milan line.

Amend section 2 by striking out said section and inserting in place thereof the following: 2. *Takes Effect.* This act shall take effect upon its passage.

Further amend said bill by striking out sections 3 and 4.

On motion of Mrs. Brungot of Berlin, reading of the amendment was dispensed with.

The question being on the amendment.

(Discussion Ensued)

Mesdames Brungot and Christiansen of Berlin spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate concurred with the House of Representatives

in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 424, An Act legalizing certain proceedings at meetings in Newmarket, Hudson, Sanbornton, Pembroke, Rye, Rindge, Barrington and Stewartstown village fire precinct and a meeting of the Hillsborough County Convention.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act legalizing certain proceedings at meetings in Newmarket, Hudson, Sanbornton, Pembroke, Weare, Rindge, Barrington, and relative to adoption of Hillsborough county budget, Stewartstown Village Fire Precinct, Merrimack School District, Rye Water District, and Seabrook School District.

Amend section 5 of said bill by striking out the same and inserting in place thereof the following:

5. *Weare.* The votes and proceedings at the election held in the town of Weare, November 4, 1952, are hereby legalized, ratified and confirmed.

Amend section 7 of said bill by striking out the same and inserting in place thereof the following:

7. *Barrington.* The votes and proceedings at the annual school district meeting in Barrington, held on March 9, 1953, are hereby legalized, ratified and confirmed. The action of the school district in raising and appropriationg funds and the issuance of serial bonds or notes for school purposes to the amount of sixty-five thousand dollars at said meeting is hereby legalized, ratified and confirmed provided that said borrowing shall be approved by the governor and council under the provisions of chapter 5 of the Laws of 1951, as amended by chapter 9, Laws of 1953. The indebtedness of the district provided for hereunder together with the outstanding indebtedness of said district shall constitute the total authorized indebtedness of said district.

Further amend said bill by inserting after section 9 the following new sections:

10. *Merrimack School District.* The votes and proceedings at the adjourned annual meeting of Merrimack school district, held May 2, 1953, are hereby legalized, ratified and confirmed. The action of the school district in raising and appropriating funds and the issuance of serial bonds or notes

for school purposes to the amount of fifty five thousand dollars at said meeting is hereby legalized, ratified and confirmed. The indebtedness of the district provided for at said meeting together with the outstanding indebtedness of said district shall constitute the total auhorized indebtedness of said district.

11. *Rye Water District.* Amend sections 1 and 2 of chapter 394 of the Laws of 1947, as amended by section 2, chapter 364, Laws of 1949 and by section 4 of chapter 334, Laws of 1951, by striking out said sections and inserting in place thereof the following: 1. *Authorization.* Rye Water District in the town of Rye is hereby authorized to incur indebtedness in an amount not exceeding two hundred seventy thousand dollars, including the amount authorized by chapter 72 of the Revised Laws, for the purpose of purchasing or constructing, or both, and maintaining, extending and operating such water works system as it may deem necessary for municipal use and for the use of its inhabitants and others. Said district shall have all necessary power to take any property including any existing utilities, it may need in connection with the establishment of such water system, by condemnation proceedings. 2. *Issuance of Bonds or Notes.* For the purpose and to the extent set forth in the preceding section Rye Water District in the town of Rye is hereby authorized and empowered to issue serial notes or bonds in accordance with the remaining provisions of chapter 72 of the Revised Laws, as amended, except as hereinafter provided.

12. *Legalization.* The votes and proceedings of the annual district meeting of Rye Water District held on March 31, 1953, and the action of the district in raising and appropriating funds and the issuance of serial bonds or notes for purposes of the district are hereby legalized, ratified and confirmed.

13. *Seabrook School District.* The votes and proceedings of the annual district meeting of Seabrook School District, held April 15, 1953, and the action of the district in authorizing the sale of a certain school building ,are hereby legalized, ratified and confirmed.

Further amend said bill by renumbering section 10 to read section 14.

On motion of Mr. Eldredge of Exeter reading of the amendment was dispensed with.

On motion of Mr. Peaslee of Merrimack the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution sent up from the House of Representatives:

House Bill No. 404, An Act relative to State Industrial School.

House Bill No. 433, An Act relating to retirement benefits.

House Joint Resolution No. 49, Joint Resolution to establish an interim commission to study the various phases of nursing.

The message also announced that:

The Senate refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 99, An Act relating to powers and duties of trustees of the Industrial School.

Concurrent Resolutions

Mr. Eastman of Kensington offered the following concurrent resolution:

Resolved by the Senate and House of Representatives in General Court convened:

That the publishers of New Hampshire Profiles magazine be commended upon their valuable contribution during the past eighteen months to the promotion and publicity given to the people and state of New Hampshire, including the publication and printing of the sixty-four page resort and recreation guide, of which forty thousand copies were supplied at no cost to the State Planning and Development Commission, for use in answering inquiries for vacation and resort information.

On a *viva voce* vote the concurrent resolution was adopted.

Resolution

Mrs. Christiansen of Berlin offered the following resolution:

Whereas, Henry M. Moffett, Representative from Berlin, has passed away, and

Whereas, Mr. Moffett was Representative for several terms, former member of Board of Education, County Commissioner and City Clerk of Municipal Court, therefore be it

Resolved, That we pay tribute to the services of our fellow member to his city, county and state, and extend our deep sympathy to his family in its bereavement, and be it further

Resolved, That when the House adjourns today, it be in memory of Representative Moffett, and be it further

Resolved, That the Clerk transmit a copy of these Resolutions to the family.

On a rising vote the resolution was unanimously adopted.

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles only.

Third Readings

House Bill No. 316, An Act to provide more adequate accommodations on public recreational areas.

House Bill No. 366, An Act to lay out and construct a continuous highway on a new location across the southeast corner of the state of New Hampshire westerly of the present U. S. No. 1 and to extend said highway northwesterly towards the lakes and mountain regions.

House Bill No. 367, An Act to lay out and construct a Central New Hampshire turnpike.

House Bill No. 374, An Act relative to ward lines of the city of Berlin and salary of library trustees and recreational trustees.

Severally read a third time and passed and sent to the Senate for concurrence.

Reconsideration

Mrs. Brungot of Berlin moved that the House reconsider its vote whereby it passed House Bill No. 374.

On a *viva voce* vote the motion to reconsider did not prevail.

House Bill No. 403, An Act to provide for a state tax study.

House Joint Resolution No. 6, Joint Resolution in favor of Public Service of New Hampshire.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 75, An Act relative to rules and regulations of the board of pharmacy.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

On motion of Mrs. Corliss of Manchester at 12:46 o'clock the House adjourned.

WEDNESDAY, MAY 27, 1953

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by Guest Chaplain, Rev. Roukas S. Najjar, St. George's Parish, Dover.

Almighty and everlasting God, look graciously upon us and let Thy true peace reign in this world and the joy of Thy people be un-ending. *Amen*

Pursuant to a concurrent resolution adopted by both branches of the legislature, the Senate then came in and the two bodies being in convention were addressed by Lewis K. Gough of Pasadena, California, National Commander of the American Legion.

The Joint Convention then rose.

House

Leaves of Absence

Messrs. Robinson of Gorham, and Karagianis of Laconia

were granted leave of absence for the day on account of important business.

Mr. Joyce of Portsmouth was granted leave of absence for the day on account of illness in the family.

Mrs. Atkins of Hanover was granted leave of absence for the day on account of illness.

Mr. Holden of Newington was granted leave of absence for the remainder of the week on account of important business.

Mr. Jones of Fremont was granted leave of absence for the remainder of the week on account of illness.

Report of Committee on Engrossed Bills

Mrs. Mahoney of Concord for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Bills:

House Bill No. 29, An Act relative to retirement age for state employees.

House Bill No. 424, An Act legalizing certain proceedings at meetings in Newmarket, Hudson, Sanbornton, Pembroke, Weare, Rindge, Barrington, and relative to adoption of Hillsborough county budget, Stewartstown Village Fire Precinct, Merrimack School District, Rye Water District, and Seabrook School District.

The report was accepted.

Committee Reports

Mr. Scamman of Stratham for the Committee on Appropriations to whom was referred House Bill No. 7 (New Draft), An Act providing for salaries of unclassified state officials, and establishing certain positions. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place the following:

1. *Salaries Established.* The annual salaries for the positions set forth herein shall be established as follows:

1. *Salaries Established.* The annual salaries for the positions set forth herein shall be established as follows:

I. Governor $12,000.00

Council	$10 per diem
Each justice of the supreme court	$12,000
Each justice of the superior court	$12,000

II.	*Minimum*	*Maximum*
Adjutant general	$7,500	$8,950
Ass't attorney general (three)	6,500	7,800
Assistant commissioner, public works and highways	7,500	8,950
Assistant director of recreation	5,500	6,650
Assistant state librarian	4,500	5,500
Assistant superintendent, state hospital	7,500	8,950
Attorney General	8,500	10,100
Bank commissioner	7,500	8,950
Business supervisor	6,500	7,800
Chairman, water resources board	5,500	6,650
Clerk of supreme court and court reporter	6,500	7,800
Commandant, Soldiers' Home	3,800	4,200
Commissioner of agriculture	7,500	8,950
Commissioner of education	9,000	10,750
Commissioner of public welfare	9,000	10,750
Commissioner, public works and highways	9,000	10,750
Comptroller	8,500	10,100
Deputy attorney general	7,500	8,950
Deputy bank commissioner (two)	5,500	6,650
Deupty commissioner, public works and highways	8,000	9,500
Deputy director of personnel	5,500	6,650
Deputy insurance commissioner	6,500	7,800
Deputy motor vehicle commissioner	6,500	7,800
Deputy secretary of state	5,500	6,650
Deputy state treasurer	5,500	6,650
Deputy superintendent, industrial school	4,500	5,500
Deputy warden, state prison	4,500	5,500
Director, division of accounts	6,500	7,800
Director division of employment security	7,500	8,950
Director, division of purchase and property	6,500	7,800
Director of aeronautics	5,500	6,650
Director of civil defense	4,500	5,500

Director of fish and game	6,500	7,800
Director of mental hygiene and child guidance clinics	7,500	8,950
Director of personnel	6,500	7,800
Director of probation	5,500	6,650
Director of recreation	6,500	7,800
Director of Veterans Council	3,600	4,200
*Executive director of planning and development	7,500	8,950
Insurance commissioner	7,500	8,950
Labor commissioner	6,500	7,800
Liquor commissioner (three)	6,500	7,800
Motor vehicle commissioner	7,500	8,950
Parole officer	4,500	5,500
President, teachers college (two)	7,500	8,950
Public utilities commissioner (three)	7,500	8,950
Secretary of state	6,500	7,800
Secretary, tax commission	7,500	8,950
State fire marshal	5,500	6,650
State forester	6,500	7,800
State health officer	9,000	10,750
State librarian	5,500	6,650
State veterinarian	7,000	8,300
State treasurer	6,500	7,800
Superintendent, industrial school	6,500	7,800
Superintendent, Laconia state school	7,500	8,950
Superintendent, state hospital	9,500	11,250
Superintendent, state police	7,500	8,950
Superintendent, state sanatorium	7,500	8,950
Tax commissioner (two)	6,500	7,800
Warden, state prison	6,500	7,800

*There shall be no funds appropriated under this act for the current biennium for this office.

Amend section 6 of the bill by adding at the end thereof the words, and commandant of the New Hampshire Soldiers' Home, so that said section as amended shall read as follows:

6. *Maintenance.* In addition to the above mentioned salaries the following positions shall carry with them maintenance: Superintendent and assistant superintendent, state hospital; superintendent and deputy superintendent, industrial school; warden and deputy warden, state prison; presidents, teachers colleges and the superintendents of Laconia

state school and state sanatorium; and commandant of the New Hampshire soldiers' home.

Amend section 17 of the bill by striking out the same and inserting in place thereof the following:

17. *Appropriation.* The sum of $51,855.16 for the fiscal year ending June 30, 1954 is hereby appropriated to provide for the salary increases set forth herein. Of this amount $44,076.75 shall be a charge upon general funds; $5,393.41 shall be a charge upon highway funds; $1,760.00 shall be a charge upon federal funds; and $625 shall be a charge upon fish and game funds.

The sum of $71,354.14 for the fiscal year ending June 30, 1955, is hereby appropriated to provide for the salary increases set forth herein. Of this amount $60,873.05 shall be a charge upon the general funds; $7,462.09 shall be a charge upon highway funds; $2,069.00 shall be a charge upon federal funds; and $950.00 shall be a charge upon fish and game funds.

The report was accepted, and the amendment laid upon the table to be printed under rule 48.

Mr. Angus of Claremont for the Committee on Labor to whom was referred Senate Bill No. 77, An Act relative to child labor. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out all after the word "links" in the eleventh line so that said section as amended shall read as follows:

1. *Employment Hours.* Amend section 23 of chapter 137 of the Revised Laws by striking out said section and inserting in place thereof the following: 23. *Hours.* Except as provided in chapter 212, no minor under the age of sixteen years, shall be employed, or permitted or suffered to work at any gainful occupation, other than domestic servicee or work on a farm, more than fifty-four hours in any one week, nor more than ten and one-quarter hours in any one day; nor before the hour of half-past six o'clock in the morning, nor after the hour of seven o'clock in the evening, except (1) that boys twelve years old or over may deliver newspapers after five o'clock in the morning or between four and eight o'clock in the evening, and (2) that a boy twelve years old or over may act as caddy at golf links.

Further amend the bill by striking out the words, "fifty" and "two" in the sixth line and inserting in place thereof the words, one, and, five, so that said section as amended shall read as follows:

3. *Penalty.* Amend section 39 of chapter 137 of the Revised Laws by striking out said section and inserting in place thereof the following: 39. *Employed.* Whoever employs any child and whoever permits or suffers any child under his control as parent, guardian or otherwise, to be employed or to work in violation of any of the foregoing provisions of this chapter, shall be fined not less than one hundred nor more than five hundred dollars, or imprisoned not less than ten nor more than thirty days, or both.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Griffin of Lincoln for the Committee on Ways and Means to whom was referred House Bill No. 378, An Act to provide revenue for cities and towns. Having considered the same. reported the same with the following resolution:

Resolved, That the subject matter be referred to the Legislative Council for extensive consideration; that the opinions of the taxing authorities at the state and local levels, through the media of public hearings and/or questionnaires, be sought; and that it report its findings with recommendations to the next session of the Legislature.

The report was accepted.

Mr. Malley of Manchester moved that the words "ought to pass" be substituted for the report of the committee.

The question being on the motion to substitute.

Mr. Malley of Somersworth spoke in favor of the motion.

Messrs. Geisel of Manchester, and Griffin of Lincoln spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the recommendation of the committee that it be referred to the Legislative Council.

On a *viva voce* vote the recommendation of the Committee was adopted.

Taken from the Table

House Bill No. 426, An Act to establish a department of

televised education at the University of New Hampshire and to provide facilities therefor.

The question being on the amendment as printed in the Journal of May 21.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

House Bill No. 437, An Act relative to the retirement of the federal government from the field of motor fuel taxation.

The question being on the amendment as printed in the Journal of May 21.

(Discussion Ensued)

Messrs. Pillsbury of Manchester and Malley of Somersworth spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Pillsbury of Manchester offered the following amendment:

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *The Governor and Council Authorized.* In the event that Congress repeals the federal tax on gasoline and motor fuel, sold within this state and reduces the federal aid grant for highways and aeronautical purposes, the governor and council are hereby authorized and empowered to increase the state motor vehicle road toll and the airways toll by an amount adequate to compensate for such reductions but not in excess of the amount of said repealed federal tax on gasoline and motor fuel. Said additional amount per gallon shall be collected and administered in the same manner as is already provided for motor vehicle road tolls by chapter 120 of the Revised Laws and shall be paid into the highway fund in relation to the Motor Vehicle road toll and to the aeronautical fund in relation to the Airways toll.

2. *Further Authorization.* In the event the federal government shall continue to collect a federal tax on gasoline and shall enact legislation for highway and aeronautical purposes, returning the tax to the state in which it originated, the governor and council are hereby authorized to accept such federal payment and transfer it to the highway fund and to the aeronautical fund respectively.

3. *Expenditure.* Any additional funds accruing to the

highway fund, on account of the provisions of this act may be expended for the construction, reconstruction and betterment of Class I, Class II, Class IV and Class V highways in addition to the appropriations made by section 4, chapter 83, Laws of 1951 and chapter 34, Laws of 1953 and such aeronautical funds may be expended in accordance with provisions of section 9, chapter 281, Laws of 1947.

4. *Takes Effect.* This act shall take effect upon its passage, and shall expire on the 30th day of June, 1955, provided, however, that the imposition and collection of said tax provided in section 1 of this act shall not commence until the effective date of such federal enactment.

The question being on the amendment.

On motion of Mr. Ferguson of Pittsfield reading of the amendment was dispensed with.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Jones of Lebanon for the Committee on Judiciary to whom was referred Senate Bill No. 8, An Act relative to discrimination in places of public accommodations, resort or amusement. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Judiciary to whom was referred Senate Bill No. 8, An Act relative to discrimination in places of public accommodations, resort or amusement. Having considered the same and being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

MYER SAIDEL
HILDA C. F. BRUNGOT
DANIEL J. HEALY
A Minority of the Committee

The reports were accepted.

Mr. Saidel of Manchester moved that the minority report be substituted for that of the majority.

The question being on the motion to substitute.

(Discussion Ensued)

Mr. Saidel of Manchester spoke in favor of the motion.

Mr. Jones of Lebanon spoke against the motion.

Mr. Spaulding of Hudson moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion Ensued)

Messrs. Spaulding of Hudson, Gale of Jackson, Eldredge of Exeter, Holden of Hanover, and Kimball of Moultonborough spoke in favor of the motion.

Messrs. Martel of Manchester, and Baron of Claremont and Mrs. Millar of Claremont spoke against the motion.

(Mr. Griffin in Chair)

Mrs. Morey of Hart's Location and Messrs. Brown of Laconia and Wells of Newton spoke in favor of the motion.

Mesdames Brungot of Berlin and Richards of Exeter and Mr. Healy of Manchester, Ward 6 spoke against the motion.

(Mr. Perkins in Chair)

Mr. Hart of Laconia moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

Mr. Wells of Newton called for a division.

A division being had the Speaker declared the vote to be manifestly in the affirmative, and the motion to indefinitely postpone prevailed.

Special Order

Mrs. Brungot of Berlin called for the Special Order, it being House Bill No. 81, An Act relative to the salary of the Special Justice of the Municipal Court of Berlin.

Mrs. Brungot of Berlin moved that the bill be laid upon the table and made a Special Order for Thursday, May 28, at 11:01 o'clock.

The question being on the motion.

(Discussion Ensued)

Mrs. Brungot of Berlin spoke in favor of the motion.

On a *viva voce* vote the motion did not prevail.

Mrs. Brungot of Berlin offered the following amendment.

Amend the title of said bill by striking out said title and inserting in place thereof the following:

An Act relative to the salaries of the justice and special justice of the municipal court of Berlin.

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1. *Berlin Municipal Court.* Amend section 4 of chapter 377 of the Revised Laws, as amended by chapters 179 and 260 of the Laws of 1947 and chapters 26 and 105 of the Laws of 1953 by striking out said section and inserting in place thereof the following: 4. *Compensation of Special Justices.* The special justice and justice of the peace requested to sit owing to the disqualification of the justice and special justice shall be paid, from the treasury of the city or town wherein said court is located, ten dollars a day for each day or part thereof that he shall serve in said capacity, provided that the annual salaries of the special justices of the municipal courts of the following cities and town shall be as follows, of Manchester eighteen hundred dollars, of Nashua fifteen hundred dollars, of Dover two hundred dollars, of Concord one thousand dollars, of Portsmouth four hundred dollars, of Laconia two hundred dollars and of Hampton one hundred and fifty dollars, to be paid by said cities and town, respectively, quarterly, and shall be in lieu of any other compensation or fees to such justices; provided, further, that the special justice of the municipal court of Berlin shall be paid from the treasury of the city the sum of six hundred dollars per annum.

Further amend said bill by inserting after section 1 the following new section:

2. *Municipal Court Justice.* Amend paragraph I of section 31 of chapter 377 of the Revised Laws as amended by chapter 232 of the Laws of 1947, and by chapter 73, Laws of 1953, by striking out the words "one thousand eight hundred dollars" after the word "Berlin" and inserting in place thereof the words, twenty-two hundred dollars, so that said paragraph as amended shall read as follows:

1. *Salaries of Justices.* Salaries of justices of municipal courts shall be paid from the treasury of the city or town in

which such courts are located, may be paid quarterly or monthly, and shall be in the following sums per annum:

In Manchester, three thousand eight hundred dollars;
In Nashua, two thousand eight hundred dollars;
In Concord, three thousand five hundred dollars;
In Portsmouth, one thousand eight hundred dollars;
In Dover, one thousand eight hundred dollars;
In Laconia, one thousand eight hundred dollars;
In Keene, one thousand eight hundred dollars;
In Claremont, one thousand eight hundred dollars;
In Berlin, twenty-two hundred dollars;
In Rochester, one thousand two hundred dollars;
In Lebanon, one thousand dollars;
In Newport, nine hundred dollars;
In Derry, nine hundred dollars;
In Franklin, nine hundred dollars;
In Exeter, eight hundred dollars;
In Somersworth, eight hundred dollars;
In Littleton, eight hundred dollars;
In Milford, six hundred dollars;

Amend section 2 by striking out said section, renumbering the same so that said section as amended shall read as follows: 3. *Takes Effect.* This act shall take effect upon its passage.

The question being on the amendment.

On motion of the same member reading of the amendment was dispensed with.

Mr. Theriault of Berlin offered the following amendment to the amendment.

Amend the amendment by striking out all after the word "further" in the twentieth line and inserting in place thereof the following:

that the special justice of the municipal court of Berlin shall be paid from the treasury of the city ten dollars a day for each day or part thereof that he shall serve in said capacity, provided that said per diem shall not exceed the sum of four hundred dollars in any one calendar year, so that said section as amended shall read as follows: 1. *Berlin Municipal Court.* Amend section 4 of chapter 377 of the Revised Laws, as amended by chapters 179 and 260 of the Laws of 1947 and chapters 26 and 105 of the Laws of 1953 b striking out said section and inserting in place thereof the following: 4. *Compensation*

of Special Justices. The special justice and justice of the peace requested to sit owing to the disqualification of the justice and special justice shall be paid, from the treasury of the city or town wherein said court is located, ten dollars a day for each day or part thereof that he shall serve in said capacity, provided that the annual salaries of the special justices of the municipal courts of the following cities and town shall be as follows, of Manchester eighteen hundred dollars, of Nashua fifteen hundred dollars, of Dover two hundred dollars, of Concord one thousand dollars, of Portsmouth four hundred dollars, of Laconia two hundred dollars and of Hampton one hundred and fifty dollars, to be paid by said cities and town, respectively, quarterly, and shall be in lieu of any other compensation or fees to such justices; provided, further, that the special justice of the municipal court of Berlin shall be paid from the treasury of the city ten dollars a day for each day or part thereof that he shall serve in said capacity, provided that said per diem shall not exceed the sum of four hundred dollars in any one calendar year.

The question being on the amendment to the amendment.

(Discussion Ensued)

Mr. Theriault of Berlin spoke in favor of the amendment.

Mrs. Brungot of Berlin and Mr. Griffin of Lincoln spoke against the amendment.

On a *viva voce* vote the amendment to the amendment was not adopted.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 439, An Act providing for additional ap-

propriations for certain departments and institutions for the fiscal year ending June 30, 1952 and 1953.

Amend section 2 by striking out the words "one hundred four thousand three hundred thirty-eight dollars and forty-six cents" and inserting in place thereof the words, two hundred four thousand nine hundred thirty-eight dollars and forty-six cents.

Further amend the bill by adding after "Supreme Court 300 hundred dollars" the words and figures Legislature $100,-000.00.

On motion of Mr. McMeekin of Haverhill the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 338, An Act relative to cooperative school districts.

Amend said bill by inserting after section 6 the following new sections:

7. *Municipal Budget Law.* Amend section 12 of chapter 199 of the Laws of 1947, as inserted by chapter 213, Laws of 1951, by striking out the last sentence of said section and inserting in place thereof the following: The provisions of chapter 52 of the Revised Laws, the municipal budget law, shall not apply to a cooperative school district except in a case where said district is composed of pre-existing school districts wholly within one town, which town has adopted said budget law, so that said section as amended shall read as follows: 12. *Budget.* On or before March first annually the cooperative school board shall prepare a budget for the ensuing year, after holding at least one public hearing at some convenient place in the district, of which at least seven days' notice shall have been given, and said budget shall be posted in a public place in each pre-existing district and given such other publication as said cooperative school board may determine. The provisions of chapter 52 of the Revised Laws, the municipal budget law, shall not apply to a cooperative school district except in a case where said district is composed of pre-existing school districts wholly within one town, which town has adopted said budget law.

8. *Optional Provisions.* Amend section 8 of chapter 199

Laws of 1947, as inserted by chapter 213, Laws of 1951, by striking out said section and inserting in place thereof the following: 8. *Cost of Operation.* The cost of operating cooperative schools shall be prorated among the pre-existing districts in accordance with one of the following optional ways, as may be determined by the majority vote of the cooperative district meeting:

(1) The proportion that its adjusted valuation bears to the total adjusted valuation of the property within the cooperative school district;

(2) One-half of cost shall be apportioned in proportion to the average daily membership for the preceding school year and one-half shall be apportioned on the adjusted valuation formula above;

(3) The total cost shall be apportioned in proportion to the average daily membership.

Further amend said bill by renumbering section 7 to read section 9.

Mr. Vaughan of Newport moved that the House nonconcur in the amendments sent down from the Honorable Senate and that a committee of conference be appointed.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of such committee on the part of the House, Mr. Robinson of Gorham, and Mesdames Woodward of Waterville and Nutter of Epsom.

The message further announced:

The Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 318, An Act relative to motor vehicle operator's licenses held by military personnel.

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1. *Extension of Time.* Amend section 2 of chapter 97 of of the Laws of 1951, by inserting after the word "forces" in the eleventh line the words: The privileges of this section shall remain in effect for a period of sixty days after the discharge or release of such person from active duty, so that said section as amended shall read as follows: 2. *Operation of Motor Vehi-*

cles. Any person who is a member of the armed forces of the United States and who at the time of his induction, call on reserve commission or enlistment into such forces was the holder of a valid New Hampshire license to operate motor vehicles in this state, shall, notwithstanding the expiration of such license, be entitled to operate a motor vehicle without obtaining a new license therefor. Such person shall, while operating a motor vehicle, carry upon his person the license issued to him, in force at the time of his entrance into the armed forces, and conclusive evidence that he is a member of said armed forces. The privileges of this section shall remain in effect for a period of sixty days after the discharge or release of such person from active duty. Nothing in this act shall be construed to permit a person against whom a revocation or suspension of a license is in force, or a person who has been refused a license by the commissioner of motor vehicles, to operate a motor vehicle.

On motion of Mr. Whittier of Bethlehem the House concurred in the adoption of the amendments proopsed by the committee on engrossed bill.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 404, An Act relative to State Industrial School.

Amend said bill by striking out all after section 28 of chapter 463 as inserted by section 1 of said bill and inserting in place thereof the following:

2. *Delinquent Children.* Amend section 7 of chapter 132, Revised Laws, as amended by chapter 148, Laws of 1953, by striking out said section and inserting in place thereof the following: 7. *Custody.* Pending final disposition of the case, the child may be retained in the custody of the person having the child in charge, or in the custody of the probation officer, or may be kept in some suitable place at the expense of the town, county or state, as may be ordered by the court, provided, however, that if the court places such child in the custody of the industrial school final disposition of his case shall be made within thirty days of such placement. Provided, further, that if custody in any case hereunder is awarded to the commissioner of public welfare the expense for the maintenance and care of the child shall be borne by the town in which the child resides, and the town shall have a right of

action over for such expense against whoever is legally chargeable for the child's support, and the court may make orders of reimbursements to town of residence as may be reasonable and just.

3. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Matthews of New Hampton the House concurred in the adoption of the amendments proposed by the committee on engrossed bill.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 433, An Act relating to retirement benefits.

Amend said bill by striking out all the words after the word "passage" in section 2.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relating to retirement benefits for Emma C. Landry, beneficiary under nomination of Edgar Landry.

On motion of Mr. McMeekin of Haverhill the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

House Bill No. 29, An Act relative to retirement age for state employees.

House Bill No. 187, An Act relating to the taxation of municipal airports and other aeronautical facilities.

House Bill No. 251, An Act relative to building construction, demolition and repair work.

House Bill No. 385, An Act relative to sewerage system in the city of Keene.

House Bill No. 435, An Act to establish a new apportionment for the assessment of public taxes.

The message also announced that:

The Senate had passed a bill with the following title,

in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 90, An Act increasing salaries of deputy registers of probate.

Senate Bill Read and Referred

Senate Bill No. 90, An Act increasing salaries of deputy registers of probate.

Read a first and second time and referred to the Committee on Appropriations.

Resolution

Mrs. Christiansen of Berlin offered the following resolution:

Whereas, We have learned of the passing of a brother of Frank H. Sheridan, Representative from Berlin, therefore be it

Resolved, That we extend to our fellow member our sympathy in his bereavement.

On a *viva voce* vote the resolution was adopted.

Concurrent Resolution

Mr. Pelletier of Nashua offered the following concurrent resolution:

Whereas, the General Court has learned that the City of Nashua is celebrating its 100th anniversary this year, and

Whereas, the citizens of Nashua are planning to make this Centennial celebration an outstanding event in the history of Nashua, and

Whereas, the honorable Mayor and members of the Board of Aldermen have invited the members of the General Court to attend said celebration,

Now Therefore be it Resolved by the Senate and House of Representatives in General Court Convened:

That we do hereby extend to the citizens of Nashua congratulations and best wishes for a successful celebration, and be it further

Resolved, that the membership of the General Court accept the kind invitation to be present and visit their fellow New Hampshire citizens during the period from June 17 to June 28, 1953.

On a *viva voce* vote the concurrent resolution was adopted.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

Afternoon

The House was immediately called to order in afternoon session.

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow the third readings of bills be by their titles only.

Third Readings

House Bill No. 81, An Act relative to the salary of the Special Justice of the Municipal court of Berlin.

House Bill No. 426, An Act to establish a department of televised education at the University of New Hampshire and to provide facilities therefor.

House Bill No. 437, An Act relative to the retirement of the federal government from the field of motor fuel taxation.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 77, An Act relative to child labor.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

On motion of Mrs. Peabody of Franconia at 3:22 o'clock the House adjourned.

THURSDAY, MAY 28, 1953

The House met at 11:00 o'clock.

Prayer was offered by the chaplain.

Almighty God, enable us to ever profit by the words of the Psalmist when he said:

"The law of the Lord is perfect
The testimony of the Lord is sure,
The precepts of the Lord are right,
The commandment of the Lord is pure,

The judgments of the Lord are true, and righteous altogether."

How often our finite wisdom questions Thine infinite wisdom; how often we give more consideration to the testimony and the precepts of men, than we do to Thy precepts; how frequently we spurn Thy plan for us and, follow our own. Help us our God, to here, and now, give Thee the first place in our lives, for

"Sometime when all life's lesson have been learned
And sun and stars forevermore have set:
The things which our weak judgment here has spurned,
The things o'er which we grieved with lashes wet,
Will flash before us out of life's dark night,
As stars shine most in deeper tints of blue;
And we shall see how all God's plans were right,
And how what seemed reproof was love most true."

Amen.

Leaves of Absence

Messrs. Karagianis of Laconia, Walker of Concord, and Belletete of Jaffrey were granted leave of absence for the day on account of important business.

Mrs. Atkins of Hanover was granted leave of absence for the day on account of illness.

Resolution

Mrs. Taylor of Whitefield offered the following resolution:

Whereas, Today, May 28, 1953, is the birthday of Marion G. Alexander, legal research assistant in the office of the Attorney General, and

Whereas, Miss Alexander for many years has rendered immeasurable assistance to the Legislature in many ways, especially in the drafting of bills and resolutions and research work in connection with legislation, therefore be it

Resolved, That we, the Members of the House of Representatives, hereby extend our hearty congratulations to Miss Alexander on this occasion with best wishes for a Happy Birthday today and many years to come, and that we pay tribute to her many and valuable services to the General Court, and be it further

Resolved, That when the House adjourns today, it be in honor of Miss Alexander, and be it further

Resolved, That the Clerk of the House transmit to her a copy of these Resolutions.

On a rising vote the resolution was unanimously adopted.

Report of Committee on Engrossed Bills

Mrs. Landers of Keene for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Bills:

House Bill No. 187, An Act relating to the taxation of municipal airports and other aeronautical facilities.

House Bill No. 352, An Act relative to patients at veterans hospitals fishing without a license, and to the taking of carp.

House Bill No. 385, An Act relative to sewerage system in the city of Keene.

House Bill No. 435, An Act to establish a new apportionment for the assessment of public taxes.

The report was accepted.

Introduction of a Joint Resolution

The following joint resolution was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Rules Committee (Mr. Pillsbury of Manchester), Joint Resolution No. 54, Joint Resolution in favor of Charles F. Macey, employee of the New Hampshire State Hospital. Referred to the Committee on Appropriations.

Mr. Pillsbury of Manchester moved that the rules of the House be so far suspended as to dispense with the printing, reference to committee, and that the bill be put upon its third reading and final passage by title only at the present time.

On a *viva voce* vote the motion prevailed.

Joint Resolution No. 54 was read a third time and passed and sent to the Senate for concurrence.

Reconsideration

Mrs. Fontaine of Berlin moved that the House reconsider its vote whereby it passed House Bill No. 81, An Act relative

to the salary of the Special Justice of the Municipal Court of Berlin.

The question being on the motion.

(Discussion Ensued)

Mrs. Fontaine and Mr. Theriault of Berlin spoke in favor of the motion.

Mrs. Brungot of Berlin and Messrs. Spaulding of Hudson and Pillsbury of Manchester spoke against the motion.

On a *viva voce* vote the motion to reconsider did not prevail.

Mr. Theriault of Berlin called for a division.

A division being had 86 members having voted in the affirmative and 133 members having voted in the negative and less than two thirds of the elected membership being present and less than two thirds of those present voting in the affirmative, the motion did not prevail.

Mrs. Fontaine of Berlin demanded the yeas and nays and the roll was called with the following results:

Roll Call

Yeas — 113

COOS COUNTY: Dussault, Bouchard, Fontaine, Theriault, Alls, Emerson, Robinson, Ross, Potter, Hayes, Stinson, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Ladd, Richards, Labranche, Pinkham, Payette, Sadler, Leary, Ingraham.

STRAFFORD COUNTY: Chase, Leighton, Grimes, Marcotte of Dover, Carignan, Letourneau, Malley.

BELKNAP COUNTY: Strafford, Morin, Simoneau.

CARROLL COUNTY: Clow, Ford.

MERRIMACK COUNTY: Ferrin, Hancock, Hayes, Otis, Corbett, Rainie of Concord, Saltmarsh, Mahoney, Comi, Burke, Thompson of Franklin, Douphinette, Patenaude, DuDevoir, Thibeault, Youmans.

HILLSBOROUGH COUNTY: Holmes of Amherst, Hambleton, Fortin, Warren, Corliss, Cain, Sullivan, Fitzgerald, Kean, Nolan, Betley, Healy of Manchester, Ward 5, Hurley, Clancy, Healy of Manchester, Ward 6, Ecker, Auger, O'Neil, Attalla, Lareau, Soucy of Manchester, Ward 12, Gauthier, Lesmerises, Peaslee of Merrimack, Falconer, Cooper, Boire, Belcourt, Bros-

nahan, Maynard of Nashua, Pappagianis, Dionne, Shea of Nashua, Chartrain, Ryan, Dugas, Dutilly, Grandmaison, Bouthillier, Dumais, Barry.

CHESHIRE COUNTY: Clarke of Harrisville, Spofford, Haley, Sweeney of Keene, Heald, Barton, Waling, Blake, Kershaw, Lang of Troy.

SULLIVAN COUNTY: Angus, Millar, Baron, Marcotte of Claremont, Davis of Cornish, Smith of Longdon, Roe, Metcalf of Springfield.

GRAFTON COUNTY: Gingras, Whittier, Lorden, Barney, Woodward.

Nays — 178

COOS COUNTY: Brungot, Christiansen, Oakes, Kimball of Jefferson, Simonds, Swett, Boutain, Hilliard.

ROCKINGHAM COUNTY: Brock, Wastcoat, Barka, Clark of Derry, Eldredge, Rathbone, Weeks of Greenland, Spollett, Merrill of Hampton, Thurlow, Eastman of Kensington, MacDonald, Parmenter, McCaffrey, Sheehy, Wells, Carter, McDaniel, Seel, Barrett, Foote, Yeaton, Smart, Mafera, Philbrick, Haigh, Noyes, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Fellows, Connell, Crandall, Locke of Dover, Flanagan, Funkhouser, Littlehale, Stearns, Wormhood, Maxfield, Nelson, Studley, Clement, Fernald, Green of Rollinsford, Brown of Strafford.

BELKNAP COUNTY: Perkins of Alton, McAllister, Nichols, Gardner of Gilford, Robertson, Hart, Tilton of Laconia, Burbank, O'Shan, Brown of Laconia, Varrell, Kipp, Smith of Meredith, Matthews, Atwood.

CARROLL COUNTY: Washburn, Benson, Downs, Mudgett, Morey, Gale, Kimball of Moultonborough, Nickerson, Hodgdon, Peaslee of Wakefield.

MERRIMACK COUNTY: Holmes of Boscawen, Flanders, Moore, Vogel, Marden, Tebbetts, Lessels, Jewett, Bunten, Cilley, Mendenhall, Nutter, Broadhurst, Leonard, Davis of Hopkinton, Brown of Loudon, Wilman, Ferguson, Young, Powell.

HILLSBOROUGH COUNTY: Wiggin, Black, Jennings, Poore, Reed of Goffstown, Adams of Greenfield, English, Hadley, Goodwin of Hollis, Abbott, Spaulding, Reid of Litchfield, Saidel, Danforth, Geisel, Pillsbury, Robb, Connor, Horan,

Deans, Wadleigh, Ramsdell, Locke of New Boston, Thompson of New Ipswich, Mailloux, Cummings, Dutton.

CHESHIRE COUNTY: Maynard of Fitzwilliam, Smith of Hinsdale, Landers, Wheeler, Bennett, Codding, Faulkner, Carlton, Sherwin, Killeen, Rhodes, Billings, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Frizzell, Converse, Firestone, Wirkkala, Holden of Newport, Perry, Vaughan, Jordan, DeLude.

GRAFTON COUNTY: Plumer, Willey, Eggleston, Brown of Easton, Peabody, Williams, Fuller, Holden of Hanover, McMeekin, Stockewell, Adams of Lebanon, Ashley, Cole, Jones, Fred of Lebanon, Perley, Griffin of Lincoln, Fox, Gardner of Littleton, Longchamps, Martin, Dixon, Carr, Howard, Bell of Plymouth, Loizeaux, Horner, Anderson, Sawyer.

And the motion to reconsider did not prevail.

Committee Reports

Mr. McDaniel of Nottingham for the Committee on Appropriations to whom was referred Senate Bill No. 69, An Act relative to the duties of the New Hampshire Commission on Interstate Cooperation. Having considered the same, reported the same with the following amendment, and the recommendattion that the bill as amended ought to pass.

Amend section 2 of the bill by striking out the same and inserting in place thereof a new section as follows: 2. Amend section 5 of chapter 145 of the Laws of 1935 by adding at the end thereof the following: Such expenses as may be necessary for the preparation and printing of said report shall be a charge upon the general funds of the state.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Merrill of Hampton for the Committee on Appropriations to whom was referred House Bill No. 281, An Act relative to the construction of sea walls on state owned land in the town of Hampton. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out section 1 and inserting in place thereof the following: 1. *Authority.* The governor with the advice of the council is hereby authorized and empowered to construct such sea wall or walls or other structures which

may be necessary or desirable for seacoast protection from the existing sea wall at North Beach to the mouth of the Hampton River and to undertake in cooperation with the Corps of Engineers, U. S. Army, a corrective project to restore damage caused by coastal erosion in the same area. The governor with the advice of the council is further authorized and empowered to construct parking area adjacent to said sea wall or walls or other structures and to coordinate the construction with highway improvement and construction in the area.

Amend section 5 of the bill by striking out all after the word "practical" in the third line so that said section as amended shall read as follows:

5. *Charges for Parking Facilities.* The recreation division of the forestry and recreation commission shall have power to charge for parking by meters or fees, whichever is determined most practical.

Amend section 6 of the bill by striking out said section and inserting in place thereof the following: 6. *Fund Provided.* A sum not exceeding one million two hundred seventy-five thousand dollars ($1,275,000) is hereby raised as hereinafter provided for the purpose of carrying into effect the provisions of this act. These funds shall not be expended except on a finding by the Governor and council that federal funds are available for an erosion control project or upon determination by the governor and council that the state expenditure is economically justified.

Amend section 10 of the bill by adding at the end of said section after the word "stated" the following: In the event that the income from the charges for the parking facilities authorized under this act shall not be sufficient to meet the costs of operation and maintenance thereof and to pay the interest and principal of the bonds issued under the authority of this act, then such deficiency shall be a charge upon the general funds of the state, and the governor is hereby authorized to draw his warrant against the general funds of the state to cover such deficiency, so that said section as amended shall read as follows:

10. *Liquidation.* The income from the charges for parking facilities shall be paid into the funds of the recreation division of the forestry and recreation commission. The state treasurer is authorized to deduct from said funds of the recreation division of the forestry and recreation commission for each fiscal year such sum or sums as may be necessary to meet interest

and principal payments in accordance with the terms and conditions of the bonds or notes issued under the authority of this act for the purposes herein stated. In the event that the income from the charges for the parking facilities authorized under this act shall not be sufficient to meet the costs of operation and maintenance thereof and to pay the interest and principal of the bonds issued under the authority of this act, then such deficiency shall be a charge upon the general funds of the state, and the governor is hereby authorized to draw his warrant against the general funds of the state to cover such deficiency.

Amend the bill by inserting after section 11 the following new section:

12. *Proposal for Study.* The commissioner of public works is hereby ordered, directed and empowered to enter into preliminary negotiations with the United States Army Engineers, the federal government or any agency thereof and to take any necessary steps whatsoever in relation to securing preliminary informal studies of the erosion problem and attendant problems in that section of the New Hampshire seacoast known as Great Boars Head to the end of determining the degree and scope of the problem as well as tentative recommendations for whatever remedial measures may be necessary.

Further amend the bill by renumbering section 12 to read section 13.

The report was accepted.

On motion of Mr. Merrill of Hampton, reading of the amendment was dispensed with.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Tilton of Laconia for the Committee on Appropriations to whom was referred House Bill No. 336 (New Draft), An Act relative to developments of navigable tidal waters and harbors. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the word "may" in the fifth and thirteenth lines and inserting in place

thereof the word, shall, so that said section as amended shall read as follows:

1. *Planning and Development Commission.* Amend section 43-a of chapter 27 of the Revised Laws as inserted by chapter 235 of the Laws of 1949 by striking out the word "five" and inserting in place thereof the word, eight, and by adding to the last sentence the following: and three members shall be residents of other parts of the state, so that said section as amended shall read as follows: 43-a. *Port of Portsmouth.* The commission is authorized and directed to appoint an advisory committee of eight persons to work with and assist the commission in establishing plans for the development of the Port of Portsmouth along lines consistent with clear economic trends. Two of the members of said advisory committee shall be residents of the city of Portsmouth, three members shall be residents of the seacoast area, and three members shall be residents of other parts of the state.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Perley of Lebanon for the Committee on Executive Departments and Administration to whom was referred House Joint Resolution No. 53, Joint Resolution in favor of Lloyd V. Sawyer of Concord, N. H. Having considered the same, reported the same with the recommendation that the Joint Resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Smith of Meredith for the Committee on Municipal and County Government to whom was referred House Bill No. 4 (In New Draft), An Act establishing the municipal finance act. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Payette of Portsmouth for the Committee on Municipal and County Government to whom was referred House Bill No. 411, An Act relative to members of the County Convention who are not members of the legislature. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Robinson of Antrim for the Committee on Municipal and County Government to whom was referred House Bill No. 441, An Act relating to the enlargement and extension of water-works of the city of Portsmouth. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. Amend section 1 of chapter 205 of the Laws of 1899 by striking out in the sixth line the word "Newington" so that said section as amended shall read as follows: Section 1. The city of Portsmouth, in the county of Rockingham, in addition to the powers conferred by chapter 209 of the Laws of 1891, authorizing said city to manage and control its water supply, is hereby authorized and empowered and given the exclusive right to extend its system of water-works into the towns of Greenland and Newcastle, and that part of Rye northeast of the Wallis Sands life-saving station, and the road leading therefrom to Lang's Corner in the town of Rye, all in the county of Rockingham, for the purpose of introducing into and distributing through said towns an adequate supply of water in subterranean or other pipes for extinguishing fires, and for the use of their citizens, and for other purposes; and for that purpose may take, purchase, and hold, in fee simple or otherwise, free from taxation, any real or personal estate in said towns, and any rights therein and water rights necessary for carrying into effect the purposes of this act.

2. Amend section 3 of said chapter 205 by striking out in the fourth and fifteenth lines the word "Newington" so that said section as amended shall read as follows: Sect. 3. Said city is further authorized and empowered to enter upon and break ground, dig ditches, and make excavations in any street, public place, public square, passageway, or highway in said towns of Greenland and Newcastle, and that part of Rye northeast of the Wallis Sands life-saving station, and the road leading therefrom to Lang's Corner in the town of Rye, through which it may be necessary for the pipes and water-works of said city to pass, be, or exist, for the purpose of placing pipes, hyd-

rants, or water-works, and such other materials as may be deemed necessary for the construction of said water-works and the distribution through said towns of an adequate supply of water; and to relay and repair said pipes, hydrants, and water-works, subject always to such regulations in regard to the safety of the citizens and the security of public travel as may be prescribed by the selectmen of said Greenland, North Hampton, Rye and Newcastle, with reference to the portion of said works that may be located or situated in said towns.

3. Amend section 4 of said chapter 205 by striking out in the second and third lines the word "Newington" so that said section as amended shall read as follows: Sect. 4. Said city is also authorized and empowered to contract with individuals and corporations in said towns of Greenland, North Hampton, Rye and Newcastle, and with the said towns themselves, for supplying them with water; and is authorized to make such contracts and to establish such regulations and tolls for the use of said water as may from time to time be deemed proper; provided, that in case of serious insufficiency in the water supply, the citizens of Portsmouth shall have the first right thereto in the discretion of the water commissioners of the city of Portsmouth, except that such of said towns from which a water supply is obtained, and pipes laid for supplying said towns, shall receive from said water-works a supply equal to the amount taken from such towns, if needed.

4. Further amend said chapter 205 by inserting after section 5 a new section as follows: Sect. 5-a. The said city of Portsmouth is hereby authorized, empowered and given the right to construct, operate, maintain, renew, repair and remove a water supply line or lines along, across, beneath and over the rights-of-way and property of the town of Newington, said pipeline to run from the town of Madbury, in the county of Strafford, and supplying water to the city of Portsmouth; provided, however, that the city of Portsmouth may supply water to purchasers located in Newington adjacent to said water supply line or lines. Said water supply line or lines shall be tax free within the limits of the town of Newington.

5. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment laid upon the table to be printed under rule 48.

Mrs. Corliss of Manchester for the Special Committee

consisting of the delegation from the city of Manchester to whom was referred House Bill No. 407, An Act relative to vacation time for employees of the Manchester highway department. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Corliss of Manchester for the Special Committee consisting of the delegation from the city of Manchester to whom was referred House Bill No. 415, An Act relative to the highways commission of the city of Manchester and union bargaining agencies. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Vaughan of Newport for the Committee on Education to whom was referred House Bill No. 360, An Act relating to appropriations for the University of New Hampshire. Having considered the same, report the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Soucy of Manchester, Ward 1 moved to substitute the words "ought to pass" for the report of the committee that it is inexpedient to legislate.

The question being on the motion to substitute.

(Discussion Ensued)

Mr. Soucy of Manchester, Ward 1 spoke in favor of the motion.

Mr. Brown of Strafford moved that the bill be indefinitely postponed, but subsequently withdrew his motion.

Mr. Pillsbury of Manchester moved that the bill be referred to the Legislative Council.

The question being on the motion.

(Discussion Ensued)

Messrs. Pillsbury and Soucy of Manchester, Scamman of Stratham, Moore of Bradford spoke in favor of the motion.

Messrs. Angus of Claremont and Vaughan of Newport spoke against the motion.

Miss Woodward of Waterville moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion Ensued)

Mesdames Woodward of Waterville, and Loizeaux of Plymouth, and Messrs. Robinson of Gorham, Brown of Strafford, Chase of Dover, Wadleigh of Milford, Young of Pittsfield, Geisel of Manchester, and Blake of Swanzey spoke in favor of the motion.

Messrs. Longchamps of Littleton, Plumber of Bristol, and Wells of Newton spoke against the motion.

Mr. Ingraham of Portsmouth moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion prevailed.

Mr. Soucy of Manchester demanded the yeas and nays but subsequently withdrew his demand.

Mrs. Fuller of Hanover for the Committee on Executive Departments and Administration to whom was referred House Bill No. 445, An Act relating to obscene literature, pictures and articles. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Executive Departments and Administration to whom was referred House Bill No. 445, An Act relating to obscene literature, pictures and articles. Having considered the same and being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

WILLIAM F. FITZGERALD
For the Minority of the Committee.

The reports were accepted.

Mr. Martel of Manchester moved that the bill be laid upon the table and made a Special Order for Tuesday, June 2, at 11:01 o'clock.

The question being on the motion.

(Discussion Ensued)

Messrs. Martel of Manchester and Rainie of Concord spoke in favor of the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Martel of Manchester called for a division.

A division being had 137 members having voted in the affirmative and 114 members having voted in the negative and less than two thirds of the elected membership being present and less than two thirds of those present having voted in the affirmative the motion did not prevail.

Mr. Pillsbury of Manchester called for a second division.

A division being had 151 members having voted in affirmative and 107 members having voted in the negative and less than two thirds of the elected membership being present and less than two thirds of those present having voted in the affirmative, the motion did not prevail.

Mr. Martel of Manchester moved that House Bill No. 445, An Act relating to obscene literature, pictures and articles, be laid upon the table and made a special order for Wednesday, June 3 at 11:01 o'clock.

The question being on the motion.

(Discussion Ensued)

Messrs. Martel of Manchester, McMeekin of Haverhill, Wadleigh of Milford, Brown of Laconia, and Rainie of Concord and Mrs. Brungot of Berlin spoke in favor of the motion.

Mr. O'Shan of Laconia, and Eldredge of Exeter spoke against the motion.

On a *viva voce* vote the motion prevailed.

Personal Privilege

Mr. Spaulding of Hudson rose to a point of personal privilege and asked those members desiring to sign a petition for the reinstatement for the construction of the Newington Air Force Base to do so, and that it would be sent to Mr. Hol-

den of Newington, who would present it at the hearings in Washington, D. C.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 147, An Act relative to the posting of land.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Trespass.* Amend section 14-a of chapter 442 of the Revised Laws as inserted by section 2, chapter 171, Laws of 1951, by striking out said section and inserting in place thereof the following: 14-a. *Penalty.* Whoever without right enters upon the cultivated land of another which has been posted with notices as described in section 14-b, shall be fined not more than fifty dollars, or imprisoned not more than six months, or both. Whoever without right, when carrying firearms, enters upon land within two hundred yards of an inhabited dwelling in a remote place surrounded by woods which has been marked with notices as provided for said land in section 14-b, shall be fined not more than fifty dollars.

On motion of Mrs. Delude of Unity the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 32, An Act relating to students attending educational institutions under reciprocal agreements.

Amend section 3 by striking out the word "five" in the second line and inserting in place thereof the word, six. Further amend said section by striking out the last sentence, so that said section as amended shall read as follows:

3. *Appropriation.* There shall be appropriated the sum of six thousand dollars for the fiscal year ending June 30, 1954, and a like sum for the year ending June 30, 1955, and annually thereafter to carry out the provisions of this act, and if the sum so appropriated for any year is not entirely used, the remaining shall not lapse; provided, however, that no individual

shall be eligible to receive the benefits provided for by this act for a period of more than four years.

On motion of Miss Loizeaux of Plymouth the House concurred in the adoption of the amendments sent down from the Honorable Senate:

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 260, An Act relative to slot machines.

Amend the bill by striking out all after the enacting clause and substituting in place thereof the following:

1. *Common Nuisance.* Amend section 11 of chapter 447 of the Revised Laws by striking out said section and inserting in place thereof the following: 11. *Gambling Machines.* Any device, mechanism, or slot machine, including the type known as the one-armed bandits, which is used for or is capable of being used to discharge any money or tokens; or any device, mechanism or slot machine which is used to discharge money or any tokens that may be exchanged for money, or which is used to display or reveal any symbol entitling any person by reason of such display to receive money, is hereby declared to be a common nuisance and shall be seized upon detection by any police officer, sheriff, constable or deputy, and the same shall be forfeited in the manner provided in chapter 432 of the Revised Laws.

2. *Possession.* Further amend said chapter 447 by inserting after said section 11 a new section as follows: 11-a. *Possession, Penalty.* Any person who shall have in his possession or upon his premises a device, mechanism or slot machine declared by section 11 of this chapter to be a common nuisance, who knew or should have known of its use in violation of the said section, shall be fined not more than $500 or imprisoned not more than one year or both. Any person, having any interest in any device, mechanism or slot machine declared by section 11 of the chapter to be a common nuisance, who knew or should have known of its use in violation of the said section, who shall collect or receive any money from said device, mechanism or slot machine, or for the use thereof, shall be fined not more than $500 or imprisoned not more than one year, or both.

3. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Rainie of Concord, reading of the amendment was dispensed with.

On motion of Mr. Rainie of Concord, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 423, An Act providing for a salary increase for classified state employees.

Amend section 4. "Appropriations" of House Bill No. 423 as amended by striking out said section and inserting in place thereof the following:

There is hereby appropriated for the fiscal year ending June 30, 1954, for the salary increases provided by sections 1 and 2 hereof the following sums; four hundred seventy-seven thousand five hundred thirty-eight dollars ($477,538.) from the general funds of the state, thirty-two thousand seven hundred ninety-seven dollars ($32,797.) from fish and game funds, three hundred forty-three thousand five hundred sixty dollars ($343,560.) from highway funds, thirty-seven thousand two hundred sixty-five dollars ($37,265.) from federal funds and eighteen thousand two hundred four dollars ($18,204.) from funds of the recreation division. Like amounts are hereby appropriated for the fiscal year ending June 30, 1955."

On motion of Mr. McMeekin of Haverhill the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 137, An Act relative to the taking of clams.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to penalties for illegal taking of clams and to helpers licenses for taking of lobsters and crabs.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Taking Clams.* Amend section 64 of chapter 245 of the Revised Laws as amended by chapter 124, Laws of 1943, by striking out said section and inserting in place thereof the following: 64. *Penalty.* Whoever violates a provision of sec-

tion 63, or any rule or regulation promulgated thereunder relative to taking of possessing clams, shall be fined not more than ten dollars.

2. *Taking Lobsters and Crabs.* Amend chapter 245 of the Revised Laws by inserting after section 42-a, as inserted by section 1, chapter 12, Laws of 1950, the following new section: 42-b. *Helper's License.* Any person licensed under the provisions of section 42 may secure a helper's license which shall entitle him to have the assistance of a person in the taking of lobsters and crabs. Said license may be transferred to any one helper employed by said licensee but shall not be transferred to a person who previously had a lobster license which was suspended. The fee for a helper's license shall be ten dollars.

3. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Locke of Dover the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that:

The Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 251, An Act relative to building construction, demolition and repair work.

Amend said bill by renumbering the sections of chapter 212 of the Revised Laws, as inserted by section 1 of said bill from 40, 41, 42 and 43 so that the same shall read sections 39-a, 39-b, 39-c, and 39-d, respectively.

On motion of Mr. Angus of Claremont the House concurred in the adoption of the amendments proposed by the committee on engrossed bill.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that:

The Senate had voted to concur with the House of Rep-

resentatives in the passage of the following concurrent resolutions:

Resolved by the Senate and House of Representatives in General Court convened:

That the publishers of New Hampshire Profiles magazine be commended upon their valuable contribution during the past eighteen months to the promotion and publicity given to the people and state of New Hampshire, including the publication and printing of the sixty-four page resort and recreation guide, of which forty thousand copies were supplied at no cost to the State Planning and Development Commission, for use in answering inquiries for vacation and resort information.

The message further announced that:

The Senate had voted to concur with the House af Representatives in its amendments to the following entitled bill:

Senate Bill No. 75, An Act relative to rules and regulations of the board of pharmacy.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 107, An Act relating to investments of savings banks.

House Bill No. 352, An Act relative to patients at Veterans hospitals fishing without a license and to the taking of carp.

House Bill No. 361, An Act relative to open season for taking pheasants.

The message also announced that:

The Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 96, An Act to raise the minimum required age for school attendance to sixteen years.

Senate Bill Read and Referred

Senate Bill No. 96, An Act to raise the minimum required age for school attendance to sixteen years.

Read a first and second time and referred to the Committee on Education.

Resolutions

Mr. Youmans of Warner offered the following resolution:

Whereas, Saturday, May 30,1953, is Memorial Day, a day set aside to honor those who served in the military and naval services of our country and who have given their lives in our defense, and

Whereas, These men and women left their homes and loved ones to serve us to preserve the principles and freedom which are our heritage, and

Whereas, In honoring them we manifest and attest our belief in what they stood for and fought for so gallantly and which so many times they served above and beyond the call of duty, therefore be it

Resolved, That we pay tribute to these brave people for their services and devotion, and be it further

Resolved, That we stand a moment in silence in honor and memory of these departed heroes.

On a *viva voce* vote the resolution was adopted.

Mr. Brown of Loudon offered the following resolution:

Resolved, That the Superintendent of the State house be requested to make a study of the loud speaker system for the house of representatives, and to ascertain and report to the Legislature of 1955 the cost for the installation of a new system for the use of the representatives hall, the gallery, the sergeant-at-arms room and the coat room, and make this report on or before January 15, 1955.

On a *viva voce* vote the resolution was adopted.

Concurrent Resolution

Mrs. Hayes of Northumberland offered the following concurrent resolution:

Whereas, Lewis K. Gough, National Commander of The American Legion, in a speech delivered to a joint convention of the House and Senate on May 27, advised that the Director of the Budget has recommended crippling cuts in appropriations submitted by the Veterans Administration, and

Whereas, Commander Gough further advised that should the recommendation of the Budget Director be adopted by the Congress, thousands of sick and disabled Veterans, including those of the Korean War, will not receive the hospital, domicil-

iary and outpatient care that they need and deserve, many of these being New Hampshire men and women, and

Whereas, the responsibility for the care of these Veterans is primarily that of the Federal Government and not the States, and

Whereas, while believing in economy in government we do not subscribe to an economy program or proposal that will result in suffering and hardships to our disabled Veterans, therefore, be it

Resolved, by the House of Representatives, the Senate concurring, that we support fully necessary appropriations to provide adequate funds in the Veterans Administration budget, and be it further

Resolved, that the Secretary of State be and hereby is instructed to transmit coies of this resolution to our Representatives in the Congress, to the Hon. John Phillips, Chairman of the Sub-committee of the House Approriations Committee and to Sherman Adams, Presidential Assistant.

On a *viva voce* vote the concurrent resolution was adopted.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

Afternoon

The House was immediately called to order in afternoon session.

On motion of Mr. Wadleigh of Milford the rules were so far suspended as to allow the third readings of bills be by their titles only and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

Third Readings

House Bill No. 4 (in New Draft), An Act establishing the municipal finance act.

House Bill No. 281, An Act relative to the construction of sea walls on state owned land in the town of Hampton.

House Bill No. 336 (In New Draft), An Act relative to developments of navigable waters and harbors.

House Bill No. 415, An Act relative to the highway com-

mission of the city of Manchester and union bargaining agencies.

House Joint Resolution No. 53, Joint Resolution in favor of Lloyd V. Sawyer of Concord, N. H.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 69, An Act relative to the duties of the New Hampshire Commission in Interstate Cooperation.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

On motion of Mrs. Holmes of Amherst at 3:09 o'clock the House adjourned.

TUESDAY, JUNE 2, 1953

The House met according to adjournment.

Prayer was offered by Guest Chaplain, Rev. Frank F. Thomas of Tamworth and Chocorua.

Almighty God, Supreme Ruler of the universe, we humble ourselves before Thee, seeking Thy love, guidance and inspiration.

Grant unto all men everywhere desire to do Thy will, to perform deeds acceptable to Thee, dedicated completely to Thy Holy Purpose.

Remove far from us Our Father all falseness, and personal pride, imbuing us with a spirit of service to Thy people, that we all might more worthily magnify Thy Name.

We pray in the Name of the Father, and the Son and the Holy Spirit; *Amen.*

Joint Convention

The Honorable Senate then came in and the two branches of the Legislature being in convention were addressed by Colonel Ben C. Limb, Ambassador-at-large and Permanent Representative to the United Nations from the Republic of Korea and the presentation to Colonel Limb of a blanket, made by the Girl Scouts, troop one of Pittsfield, for the "New Hope Orphanage" of Korea.

The Convention then rose.

House

Leaves of Absence

Messrs. Mulaire of Hooksett, and Hambleton of Goffstown were granted leave of absence for the day on account of important business.

Mrs. Atkins of Hanover was granted leave of absence for two weeks on account of illness.

Mr. Green of Rollinsford was granted an indefinite leave of absence on account of important business.

Report of Committee on Engrossed Bills

Mrs. Mahoney of Concord for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled Senate and House Bills:

Senate Bill No. 75, An Act relative to rules and regulations of the board of pharmacy.

House Bill No. 32, An Act relating to students attending educational institutions under reciprocal agreements.

House Bill No. 34, An Act establishing a New Hampshire Tri-State Commission.

House Bill No. 137, An Act relative to penalties for illegal taking of clams and to helpers licenses for taking of lobsters and crabs.

House Bill No. 147, An Act relative to the posting of land.

House Bill No. 251, An Act relative to building construction, demolition and repair work.

House Bill No. 260, An Act relative to slot machines.

House Bill No. 318, An Act relative to motor vehicle operators' licenses held by military personnel.

House Bill No. 361, An Act relative to open season for taking pheasants.

House Bill No. 404, An Act relative to state industrial school.

House Bill No. 433, An Act relating to retirement benefits for Emma C. Landry, beneficiary under nomination of Edgar Landry.

The report was accepted.

Mr. Hyde of Andover for the Committee on Engrossed Bills to whom was referred House Bill No. 423, An Act providing for a salary increase for classified state employees. Having considered the same, reported the same under Joint rule 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend said bill by striking out the paragraphs which were inserted after the title of said bill, and prior to section 1 by adding after section 4 the following new section:

5. *Salary Adjustment Fund.* Whereas the appropriations for personal services in state departments and institutions include an annual increment for each position, and whereas upon occasion due to vacancies and personnel turnover, salaries, increment increased and longevity as provided by the appropriations are not needed for said positions, each quarter the department of administration and control shall transfer said amount from the departmental or institutional appropriation to a special account to be known as the salary adjustment fund. This fund shall lapse each year and revert to the appropriate fund. Commencing at the beginning of each fiscal year, and as vacancies occur, department and institution heads shall certify to the comptroller that the position is vacant as of a certain date, that the money for the position will be put aside to be credited to the salary adjustment fund until such time as the position is filled, and that under no circumstances will such available funds be used for temporary position or new positions. Upon the certification of the director of personnel, subject to the approval of governor and council, the salary adjustment fund shall be available for transfer to departments and institutions in amounts that are deemed necessary to comply with chapter 9, laws of 1950.

Further amend said bill by renumbering section 5 to read section 6.

On motion of Mr. McMeekin of Haverhill the House adopted the amendments proposed by the committee on engrossed bills.

The bill was then sent to the Senate for concurrence in the amendments.

Mr. Hyde of Andover for the Committee on Engrossed Bills to whom was referred House Bill No. 439, An Act providing for additional appropriations for certain departments

and institutions for the fiscal years ending June 30, 1952 and 1953. Having considered the same, reported the same under Joint rule 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 2 of said bill by striking out the last two lines thereof and inserting in place thereof the following:

The sums appropriated for soldiers home and for board of nurse examiners shall be a charge against revenue for the institution and board, respectively, and the balance of the sums hereinbefore appropriated shall be a charge upon the general funds of the state.

On motion of Mr. McMeekin of Haverhill the House adopted the amendments proposed by the committee on engrossed bills.

The bill was then sent to the Senate for concurrence in the amendment.

Report of the Committee to Survey Food Purchasing Procedures by State Institutions Set up by House Resolution Number 10

1. The basic thought behind the work of the committee was that savings might be effected through coordination and centralized control, particularly in the purchasing.

2. The committee visited:

The State Hospital
The State Prison
The State Industrial School
Glencliff Sanatorium
Laconia State School
Keene Teachers College
Plymouth Teachers College

3. Purchasing for the above institutions is done by the Central Purchasing Office in the State House to fill specific requisitions sent in by each institution. The requisitions state the kind and amounts wanted. If the total estimated cost of any requisiion is more than two hundred dollars ($200), the order is put out in bids, and the successful bidder delivers the order directly to the specified institution. Requisitions calling for an amount less than two hundred dollars ($200) may be purchased direct from an approved supplier without the formality of bids.

Home grown meat, principally from hogs, (but also from cattle and poultry) are slaughtered, processed and cured, if necessary by or under the supervision of the institution where they are raised. Inasmuch as only a relatively few hogs can be handled at a time by these institutions, this results, in some instances, in unnecessary expense of feeding the hogs beyond the most economical weight for slaughter.

4. The committee feels that this procedure could be improved in several respects and these improvements could result in important savings and provide more wholesome meals. Hogs and cattle raised by state institutions should be slaughtered and inspected for health standards. This inspection should be required before the meat is passed for human consumption.

When the hogs and cattle are ready, they could be slaughtered, inspected and delivered to a central butcher shop at the State Hospital for processing and curing. Each institution which has delivered hogs and cattle would be credited with the value of the live weight to apply against purchases or use.

By re-arrangement and, if necessary, by a modest addition, the warehouses and freezer facilities at the State Hospital could handle the processing and storing of the home grown hogs and cattle and the bulk of beef, lamb or mutton that might be made to take advantage of favorable market opportunities.

Under the direction of a skilled meat cutter, the carcasses could be cut up to best advantage. Bacon, hams and shoulders could be cured (commercially, if cheaper and more convenient) and all hams at least, boned and rolled for more economical utilization at the institutions.

There should be immediate reconsideration of quality standards on beef particularly. One of our members with long experience in merchandising food for the largest chain store in the country, is convinced that purchase of utility grades of beef is positively uneconomical and commercial grades of doubtful advantage. The waste in most instances cancels out the price advantage.

It is possible, with over five thousand mouths to feed, that group purchases of cereals, dried vegetables, canned goods, preserves and similar staples could command extremely fav-

orable prices from reputable suppliers if put out in large amounts such as six months or a year's supply. This is done to a considerable extent now, but should be adopted as standard procedure for all institutions. Each institution should have slicing machines for meat and bread. Large institutions should have a hamburg pattie making machine to make uniform accurately weighed portions to save both in meat and labor. These machines can be used also for such items as sausage, hash, etc.

Freezer facilities should be checked at each institution and at some (Keene and Plymouth Teachers Colleges) should be enlarged at no great cost to accommodate reasonable supplies of meats and vegetables and perishables so as to tie in with central dietary control.

State Dietary:

Vast strides have been taken in the field of nutrition in the last few years and it should be the aim of the state to provide the best nourishment possible for each and every person in its institutions. This means only plain wholesome food, carefully prepared and palatably served. Some of our institutions do not have dietitians and a much more accurate diet should be had by **all.** Therefore we recommend that a state dietary be established with a competent dietician of wide food knowledge and experience at its head as Food Supervisor.

A basic menu for each week should be made, well in advance, in that office, and sent to each institution with instructions that this menu be adopted to the needs of the people to be served and requisitions for same sent to purchasing department. In cases where there are no dieticians the adoption should be made in the main office. For instance, it would be necessary to take into consideration the ages of children, 1 to 3, 4 to 6, 7 to 12, 13 to 16, the physical condition of adults, whether bed patients or active and whether employed doing hard manual labor or just sitting most of the day.

In places as tuberculosis sanatoriums, hospitals and in departments wheer there are growing children, all of these needs should be carefully considered.

To accomplish this, standard recipes should be sent to each institution. These recipes can be followed by chefs or cooks if the institution is not large enough to afford a dietician.

Purchasing:

The state dietician should also be thoroughly conversant with purchasing procedures, be constantly in touch with the purchasing department and with market quotations and have the authority to call any institution and ask that substitutions be made where an economy could be effected without upseting dietary balance.

Opportunity to make advantageous purchases by taking advantage of market conditions should be seized at once upon joint authorization of the State Dietitian and the head of the Purchasing Department.

The maximum purchase that may be made without bids should be increased indefinitely, in the case of meats and poultry, in order to be able to move quickly and take advantage of markets.

Handling Procedures:

A. Copies of purchase orders for delivery direct to the Institutions should be sent to the institutions and carry information as to weight, grade, price and delivery date, to facilitate checking he shipment when received at the Institution. This copy should be returned to the Purchasing Department carrying the signature of the person responsible for checking the shipment, stating approval, rejection or dissatisfaction in any particular so that claims could be made at once if called for.

Inventories:

A person familiar with inventory procedures should be appointed to take a complete inventory of all stock rooms. Plumbing and electrical equipments, hardware, kitchen utensils, etc. This inventory should give items, quantities and their location and this information should be given to the purchasing depatrment. Also, a perpetual inventory set up if none exists. In some institutions there are excessive amounts of such food items as canned goods, cereals, etc. These should be transferred to other institutions and used up as soon as possible.

Central Bakery:

The committee in its survey had occasion to discuss the proposed central bakery in connection with the general problem of food handling.

We feel that the proposed central bakery for the prison and hospital might be desirable. We believe, however, that deliveries of bread, cake and pastry to the other institutions should be weighed and considered carefully before putting up excess plants.

A. Will bakers be dispensed with at the several institutions?

B. If not, might they not just as well bake the bread, cake and pastry for their institutions. The raw materials under the group buying plan recommended will cost each institution no more than for the central bakery.

C. Cost of delivery, trucks, labor, upkeep, garage, etc., must be carefully estimated by calculating route schedule, mileage, depreciation and expenses.

D. Are the **estimate costs** too high based on commercial private enterprise standards?

E. Is the suggested capacity much greater than really necessary for the forseeable demand?

F. Is it practical to bake all the products used at the distant institutions in a central bakery with all the vagaries of New Hampshire winter weather?

G. All of the institutions are equipped with bakeries and while some replacements and additions of equipment are necessary, the cost of such replacements and additions would be very much less than the anticipated cost of equipping a central plant.

H. Such low cost, nourishing foods as custards, puddings, baked apples, etc., must be produced in the plant where consumed and this requires a bake shop and baker. Also, all rolls and muffins should be produced where eaten and come from the ovens just before serving time.

Laconia does all its baking with one baker and school help, which is also the training program for some of the boys. The same is true at the Industrial School in Manchester.

Milk:

The central processing of milk has developed quirks that might well merit re-examination. The Laconia School is over four thousand dollars ($4,000) in the red on balance and the children are not getting the same bountiful supply of milk they had before the system was adopted. Two cups of milk per day per child is a meager ration. To ship milk down from

Glencliff and deliver it back again is an anomaly.

The whole farming operation at Glencliff might well be re-examined in the light of practicality. With the release from pressure of inflation, many commodities will be purchased at prices less than institutional costs of production. The committee is aware that before it was set up and while it has been functioning, the responsible officials have been constantly striving toward more efficient and economical purchase of food products.

State University:

While the State University seems to be a separate Institution and does not come in contact with the Purchasing Office, nevertheless, we strongly recommend that the food supervisor appointed by the Department of Administration shall have the authority to visit the University whenever possible. We feel that the state dietitian will be able to make suggestions and cooperate with the dietitian, which will result beneficially to the Institution.

Equipment:

Our reasons for not specifying the different equipment that we feel is needed by the different institutions for the proper and economical serving of food is that this should be left to the discretion of the food supervisor, whose duty it would be to see to it that this equipment is provided.

In conclusion, this survey was made by the Committee without the slightest expense to the State. The Committee have given their time very freely. We have had a number of meetings, and we have not arrived at any hasty conclusion. Every subject has been given very careful consideration. We do not pretend to say that we have solved all the problems. Much more can be done, and as time goes on, we feel sure that in the long run, the State and all of the Institutions will receive a great deal of benefit if our recommendations are carried out. Our one object has been the welfare of the people in the different Institutions.

Respectfully submitted by your Committee.

JOSEPH GEISEL, *Chairman*
JAMES MALLEY
MAURICE JONES
JOHN McINTYRE
ELIZABETH W. HAYWARD

The report was accepted and ordered to be printed in the journal.

On motion of Mr. Perkins of Concord, Ward 3, the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Rainie of Concord for the Special Committee consisting of the delegation from the city of Concord to whom was referred House Bill No. 410, An Act to revise the charter of the city of Concord. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *City of Concord Charter.* At the municipal election of the city of Concord to be held on the first Tuesday of November, 1953, the following question shall appear on the official ballot: Shall the voters of the city of Concord at the municipal election on the first Tuesday of November, 1955, be given an opportunity to choose between the present charter and such other form of municipal government as shall be presented? (If you wish to vote for a referendum in 1955 you will make a cross (X) in the square opposite the word, YES; if you do not wish a referendum, you will make a cross in the square opposite the word, NO.)

YES ☐ NO ☐

2. *Referendum.* If a majority of those voting on the above question shall cast ballots in the affirmative, it shall be the responsibility of the Concord delegation in the 1955 Legislature to consider such alternative plans as are presented and to recommend to the Legislature the passage of such alternative charter or charters, if any, which will be referred together with the present charter to the citizens of Concord at said election in November, 1955.

3. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

On motion of Mr. Perkins of Concord, Ward 3 the rules of the House were so far suspended as to allow for the third read-

ing and final passage, by title only, at the present time of House Bill No. 410.

House Bill No. 410, An Act to revise the charter of the city of Concord was read a third time and passed and sent to the Senate for concurrence.

Concurrent Resolution

Mr. McMeekin of Haverhill offered the following concurrent resolution:

Whereas, it appears that all necessary legislative work may be accomplished by Wednesday, June 10, next, therefore be it.

Resolved, by the House of Representatives, the Senate concurring:

That the present session of the Legislature be brought to final adjournment on Wednesday, June 10, next, at five o'clock in the afternoon.

Be It Further Resolved, That on that date all reports, bills, and joint resolutions, with the exception of such as have been referred to the Legislative Council, and the next legislature, be indefinitely postponed.

On a *viva voce* vote the concurrent resoltuion was adopted.

Mr. Rainie of Concord offered the following concurrent resolution:

Whereas, there is much confusion in the state as to the adoption and change of city charters making necessary for referral to the Legislature of many problems which might be solved by the enactment of a general statute, now, therefore,

Be it Resolved by the Senate and House of Representatives in General Court convened:

That there be referred to the Legislative Council the problem of drafting model charters for the various types of municipal government with the request that the Legislative Council make a report on this subject together with proposed legislation to the 1955 session of the Legislature with a view to having such model charters legalized by statute.

On a *viva voce* vote the concurrent resolution was adopted.

Mrs. Hundley of Portsmouth offered the following concurrent resolution:

Whereas, on Monday, June 1, 1953, information was released by the Portsmouth Naval Base and Shipyard that 200 men are expected to be laid off by July 1, 1953 and 1,400 more by January 1, 1954 and

Whereas, employment from many parts of the state will be affected by this lay-off, financially and morally,

Now Therefore Be It Resolved by the Senate and House of Representatives in General Court convened:

That, we hereby petition our Senators and Representatives in the Congress of the United States to use all honorable means within their power to bring about the reinstatement of the personnel of the Portsmouth Naval Base and Shipyard and prevent further lay-offs in the months to come, and be it further

Resolved, that a copy of these Resolutions be transmitted by the Secretary of State to the Senators and Representatives in Congress from the State of New Hampshire for their immediate action.

The question being on the resolution.

(Discussion Ensued)

Messrs. Kearns of Manchester and Spaulding of Hudson spoke in favor of the resolution.

On a *viva voce* vote the chair was in doubt.

Mrs. Hundley of Portsmouth called for a division.

A division being had the Speaker declared the vote to be manifestly in the affirmative and the concurrent resolution was adopted.

Mr. Kearns of Manchester demanded the yeas and nays but subsequently withdrew his demand.

Resolution

Mr. Hepworth of Derry offered the following resolution:

Whereas William B. Cushing, Representative from Derry, has passed away, and

Whereas, He has served as Representative for several terms, and has also served as Selectman of Derry and Chairman of Rockingham County Rent Control Board, therefore be it

Resolved, That we, the Members of the House of Representatives, pay tribute to our Fellow Member for his services to his town, county and state, and extend our deep sympathy to the family in its bereavement, and be it further

Resolved, That the Speaker appoint a committee to attend the funeral services and the Clerk procure a floral tribute, and be it further

Resolved, That when the House adjourns today, it be in memory of Representative Cushing, and be it further

Resolved, That the Clerk of the House transmit a copy of these Resolutions to Mrs. Cushing.

On a rising vote the resolution was unanimously adopted.

The Speaker appointed as members of such committee to attend the funeral services; Messrs. Hepworth, Barker and Clark of Derry and Foote of Portsmouth, Parmenter of Londonderry, Mafera of Raymond, Abbott, Spaulding and Goodwin of Hudson, Reid of Litchfield, Jones of Fremont, Waterhouse of Windham, Haigh, Peever of Salem and Mesdames Noyes of Salem and Spollett of Hampstead.

Mr. Geisel of Manchester offered the following resolution:

Resolved, that the Justices of the Supreme Court be respectfully requested to give the House of Representatives the opinion of said justices upon the following important questions of law.

1. May the legislature constitutionally assess a tax upon cigarettes at one rate, cigars at another rate and all other tobacco products as defined in paragraph XIV of section 1 of chapter 79 of Revised Laws, as inserted by section 1, chapter 133, Laws of 1947, at a third rate?

2. May the legislature constitutionally exempt cigars from taxation while taxing cigarettes and other tobacco products as defined in paragraph XIV of section 1 of chapter 79 of the Revised Laws, as inserted by section 1, chapter 133, Laws of 1947, at two different rates?

Further Resolved, that the Speaker transmit these questions and this resolution to the Clerk of the Supreme Court for consideration by said Court.

On a *viva voce* vote the resolution was adopted.

Mr. Ashley of Lebanon offered the following resolution:

Whereas; — today, June 2nd is the birthday of Robert J. Fuller, representative from Hanover, N. H. therefore be it

Resolved, that we extend to our fellow member our congratulations on this occasion and our best wishes for a happy birthday, and many more to come.

On a *viva voce* vote the resolution was adopted.

Committee Reports

Mr. Pillsbury of Manchester for the Committee on Appropriations to whom was referred Senate Bill No. 57, An Act relative to the construction of a dormitory at Keene Teachers College, to be liquidated from income. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to the construction of dormitories at Keene teachers college and New Hampshire university, to be liquidated from income.

Amend said bill by inserting after section 1 the following new section:

2. *New Hampshire University.* The sum of five hundred thousand dollars ($500,000) is hereby appropriated for the purpose of the construction, equipment and furnishing of a dormitory at New Hampshire university, and for the construction of heating lines for housing facilities at the university. The appropriation made by this section shall be expended by the university under the direction of the governor and council, and the work shall be done in accordance with plans and specifications approved by the governand council. All contracts for the purchase and the construction of said dormitory shall be let (1) at public seal bidding, (2) only after an advertisement calling for bids has been published at least once in each of two successive weeks of a newspaper of general circulation in New Hampshire, the first publication being not less than thirty days prior to the date the bids will be received, (3) and to the lowest responsible bidder.

Further amend said bill by renumbering section 2 to read section 3. Amend section 3 of said bill by renumbering the same and by striking out the same and inserting in place thereof the following:

4. *Borrowing Power.* The state treasurer is hereby authorized under the direction of the governor and council to borrow upon the credit of the state a sum not exceeding three hundred thousand dollars ($300,000) for the purpose of carrying into effect the provisions of section 1 hereof, and to borrow upon the credit of the state a sum not exceeding five hundred

thousand dollars ($500,000) for the purpose of carrying into effect the provisions of section 2 of this act, and for said purposes may issue bonds in the name and on behalf of the state at a rate of interest to be determined by the governor and council. The maturity dates of such bonds shall be determined by the governor and council, but in no case shall they be later than twenty years from the date of issue and may be redeemable before maturity at the option of the governor and council at such price or prices and under such terms and conditions as may be fixed by the governor and council prior to the issuance of the bonds. The bonds shall be in such form and denomination as the governor and council shall determine, may be registerable as to both principal and interest, shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such bonds showing the number and amount of each, the time of countersigning, the date of delivery to the state treasurer and the date of maturity. The state treasurer shall keep an account of each bond showing the number thereof, the name of the person to whom sold, the amount received from the same, the date of the sale and the date of maturity.

Amend and renumber section 4 of said bill by striking out the word "three" in the sixth line and inserting in place thereof the word, eight, so that said section as amended and renumbered shall read as follows:

5. *Short Term Notes.* Prior to the issuance of the bonds hereunder the treasurer. with the approval of the governor and council, may for the purposes hereof borrow money from time to time on short term loans which may be refunded by the issuance of the bonds hereunder. Provided, however, that at no one time shall the indebtedness of the state on such short term loans exceed the sum of eight hundred thousand dollars.

Amend said bill by further renumbering section 5 to read section 6.

Further amend said bill be renumbering section 6 to read section 7, and by striking out said section and inserting in place thereof the following:

7. *Liquidation.* The state board of education shall establish and charge room rental rates for the use of the dormitory at Keene teacher's college as provided by section 1 hereof. Said rates shall be sufficient to amortize the investment in said

dormitory. The income from said room rentals shall be paid into the funds of the Keene teachers college. The state treasurer is authorized to deduct from said funds of Keene teachers college such sum or sums as may be necessary to meet interest and principal payments in accordance with the terms and conditions of the bonds or notes issued under the authority hereof for the purpose of the dormitory at Keene teachers college.

Amend section 7 by renumbering the same to read section 8.

Amend section 8 of said bill by renumbering the same to read section 9, and striking out the same and inserting in place thereof the following:

9. *Contracts for Construction.* All contracts for the construction of the said Keene teachers college dormitory shall be awarded to the lowest responsible bidder submitting a sealed bid after an advertisement calling for bids has been published at least once in each of two successive weeks in a newspaper of general circulation in New Hampshire. The first publication of such advertisement shall be not less than fourteen days prior to the date bids will be received. Contacts shall be awarded in accordance with section 13, part 9, chapter 5, Laws of 1950.

Further amend said bill by inserting after section 8 and renumbered section 9 the following new section:

10. *University Trustees.* The trustees of the University are authorized to maintain the dormitory constructed under section 2 of this act, and to collect rents therefrom. The income from such rents shall be kept in a separate fund from which shall be paid the maintenance of said dormitory. The baalnce of said income together with income from rents of other dormitories at the university not otherwise obligated, shall be used for the payment of the annual interest on the state borrowing for the purposes of said section 2 and for the payment of installments of principal as the same become due until such time as all obligations incurred under the provisions of section 2 have been met and thereafter said property shall become a part of the university property.

Further amend said bill by renumbering section 9 to read 11.

The report was accepted, and the amendment laid upon the table to be printed under rule 48.

Mrs. Atwood of Sanbornton for the Committee on Ap-

propriations to whom was referred House Bill No. 219, An Act relative to the state share of the salaries of superintendents of supervisory unions. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by inserting after the enacting clause a new section 1, as follows:

1. *State Board of Education.* Amend paragraph I of section 11, chapter 134, Revised Laws, by adding after the word "into" in the second line the words, not more than forty-eight, so that said paragraph as amended shall read as follows: I. *Supervisory Unions.* Combine the several school districts in the state into not more than forty-eight supervisory unions consisting of one or more school districts. In forming such unions it shall continue the unions theretofor formed, when that is the reasonable thing to do, and shall dissolve supervisory unions and form new unions when it finds that such action will promote the best interests of the schools.

Further amend the bill by renumbering section 1, 2, 3, 4 and 5 to read 2, 3, 4, 5 and 6.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Miss Loizeaux of Plymouth for the Committee on Appropriations to whom was referred House Bill No. 262, An Act authorizing an interstate compact relating to flood control of the Merrimack river. Having considered the same, reported the same with the following resolution:

Resolved, That the bill be referred to the Legislative Council for further study.

The report was accepted.

Mrs. Funkhouser of Durham moved that the words "ought to pass" be substituted for the recommendation of the committee.

The question being on the motion to substitute.

(Discussion Ensued)

Mrs. Funkhouser of Durham, Messrs. English of Hancock, Hart of Laconia, Roeder of Belmont, and Lessels of Concord spoke in favor of the motion.

Messrs. Brown of Loudon, Scamman of Stratham, Patenaude of Henniker, Barry of Wilton, Davis of Hopkinton,

Moore of Bradford, Baron of Claremont and McMeekin of Haverhill and Miss Loizeaux of Plymouth spoke against the motion.

Mr. Kearns of Manchester moved the previous question.

The question being:

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the recommendation of the committee.

On a *viva voce* vote the recommendation of the committee was adopted and the bill referred to the Legislative Council.

Mr. Killeen of Walpole for the Committee on Appropriations to whom was referred House Bill No. 377, An Act making an appropriation for capital improvements and long term repairs for the State of New Hampshire. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the words and figures "one million nine hundred forty-eight thousand one hundred twenty-three dollars ($1,948,123.)", and inserting in place thereof the following, one million seven hundred forty-five thousand seven hundred twenty-three dollars, so that said section as amended shall read as follows: 1. *Appropriation.* The sum of one million seven hundred forty-five thousand seven hundred twenty-three dollars ($1,745,723.) is hereby appropriated for the purpose of capital improvements and long term repairs, which purposes includes such related improvements, facilities, equipment and furnishings as are necessary to complete the same, as hereinafter set forth.

Amend section 2 of the bill under the paragraph II for state library:, by adding after the item "Stacks for sub-basement 24,700." a new ite mas follows, Supreme court room 1,000. Further amend paragraph II by striking out the figures "30,-700." and inserting in place thereof the figures 31,700., so that said paragraph as amended shall read as follows:

II. For state library:

Basement workroom	$6,000	
Stacks for sub-basement	24,700	
Supreme court room	1,000	
		$31,700

Further amend section 2 of the bill under paragraph IV. For state hospital:, by striking out the item "Kitchen alterations 33,000." and inserting in place thereof, Kitchen alterations 20,000.; by striking out the item "Remodel Thayer for administration 368,000.", and inserting in place thereof "Remodel Thayer for administration 268,000.; by adding after the figures "28,200." a new item Freezer locker 8,000.; by striking out the figures "$829,730.", and inserting in place thereof the figures $724,730., so that said paragraph as amended shall read as follows:

IV For state hospital:

Firestop dairy barn	$3,800	
Electrical betterments	21,100	
Kent building floors	16,000	
Laundry alterations	35,000	
Roofs on various buildings	36,630	
Power plant alterations	28,000	
Emergency generator or utility tie-in	10,000	
Kitchen alterations	20,000	
*Remodel Thayer for administration	268,000	
Auditorium-gymnasium	250,000	
Remodel farm employees cottage into apartments	28,200	
Freezer locker	8,000	
		$724,730

*This amount to be spent in conjunction with funds appropriated for this purpose by chapter 254, Laws of 1951.

Further amend section 2 of the bill under paragraph V. For state industrial school:, by striking out the item "Remodel Riverview 6,900.", and inserting in place thereof the item, Remodel Riverview 5,000., by striking out the item "Irrigation 6,000.", by striking out the figures $47,963., and inserting in place thereof the figures $40,063., so that said paragraph as amended shall read as follows:

V. For state industrial school:

Heat and hot water Wilkins building	$9,500	
Infirmary Wilkins building	2,500	
Boiler house controls	1,500	
Remodel Riverview	5,000	
Intercommunication system	3,963	
Drainage project	2,000	
Reception, retention, and administration building	7,100	
Spaulding condensate line	5,000	
Laundry renovation Wilkins building	3,500	
		$40,063

Further amend section 2 under paragraph VI. For state prison:, by striking out the item "Screening 2,000."; by striking out the item "Factory flooring 3,500."; by striking out the item "Barns and silos 20,000.", and inserting in place thereof the item Barns and silos 10,000.; by striking out the figures "$164,720.", and inserting in place thereof the figures $149,220., so that said paragraph as amended shall read as follows:

VI. For State Prison:

High voltage entrance	$31,120	
Repairs north wall	2,500	
Rewiring offices	2,800	
Rewiring warden's residence	2,000	
Guard room	30,000	
Central bakery — commissary	70,000	
Flood lighting	800	
Barns and silos	10,000	
		$149,220

Further amend section 2 of the bill under paragraph VIII. For Laconia state school:, by striking out the items, "Repair Young stock barn 5,600."; Administration building repairs 10,000."; Poultry house 9,500."; and by inserting a new item Alterations to Felker, Blood and Sanborn buildings 25,100. Further amend said paragraph VIII by inserting at the end thereof the following: The appropriation for make ward building provided by chapter 254, of the Laws of 1951, shall not lapse until July 1, 1956 and shall be used for building cottage facilities. So that said paragraph as amended shall read as follows:

VIII. For Laconia state school:

Rewire five buildings	$19,150	
Heating system farm house	1,600	
Heating system Brown farm	6,000	
Oil burner Sanborn colony	2,200	
Spaulding building furniture	4,500	
Marshall house — refurnish	4,500	
Inspect and rewire primary system	2,500	
Boiler room	30,000	
Roads	10,000	
Alterations to Felker, Blood and Sanborn buildings	25,100	
		$105,550

The appropriation for make ward building provided by chapter 254, of the Laws of 1951 shall not lapse until July 1, 1956 and shall be used for building cottage facilities.

Further amend section 2 of the bill under paragraph IX. For Plymouth teachers;, by striking out the item "Auditorium-gymnasium 375,000." and inserting in place thereof the item Auditorium-gymnasium 300,000.; by striking out the figures "$506,500.", and inserting in place thereof the figures $431.-500., so that said section as amended shall read as follows:

IX. For Plymouth teachers:

Water system Rounds and Lyons hall	$7,500	
Purchase of property	30,000	
Auditorium — gymnasium	300,000	
Heating plant	54,000	
Rounds hall	40,000	
		$431,500

Further amend section 2 of the bill under paragraph XI. For adjutant general:, by striking out the item "Roads and drives — Wolfeboro, Milford, Peterboro, Somersworth, Hillsboro, Lebanon, Littleton and No. Haverhill 25,000." and inserting in place thereof the item, Roads and drives — Wolfeboro, Milford, Peterboro, Somersworth, Hillsboro, Lebanon, Littleton and No. Haverhill 15,000.; by striking out the figures "$87,480." and inserting in place thereof the figures $77,480., so that said section as amended shall read as follows:

XI. For adjutant general:

Manchester armory repairs	$13,100	

Berlin roof and painting	5,300	
Dover armory alterations	16,700	
Portsmouth headhouse wall	8,300	
Franklin roof	900	
Roads and drives — Wolfeboro, Milford, Peterboro, Somersworth, Hillsboro, Lebanon, Littleton and No. Haverhill	15,000	
Nashua target range	1,380	
Keene armory alteration	4,300	
Laconia lighting system	1,500	
Claremont roof	9,500	
Plymouth airplane launching area	1,500	
		$77,480

Further amend section 2 of the bill by inserting after paragraph XI a new paragraph XII as follows:

XII.	Repairs to Eastern States Exposition building at Springfield, Mass.	$10,000

Further amend section 2 of the bill by striking out the word and figures "Total $1,948,123.", and inserting in place thereof the word and figures, Total $1,745,723.

Amend section 4 of the bill by striking out the words and figures "one million nine hundred forty-eight thousand one hundred twenty-three dollars ($1,948,123.)", and inserting in place thereof the words and figures, one million seven hundred forty-five thousand seven hundred twenty-three dollars ($1,745,723.), so that said section as amended shall read as follows: 4. *Funds Provided.* For the purposes of this act one million seven hundred forty-five thousand seven hundred twenty-three dollars ($1,745,723.) is hereby raised as hereafter provided.

Amend section 5 of the bill by striking out the words and figures "one million nine hundred forty-eight thousand one hundred twenty-three dollars ($1,948,123.)", and inserting in place thereof the words and figures, one million seven hundred forty-five thousand seven hundred twenty-three dollars ($1,745,723.), so that said section as amended shall read as follows: 5. *Borrowing Power.* The state treasurer is hereby authorized under the direction of the governor and council to borrow upon the credit of the state not exceeding the sum of one million seven hundred forty-five thousand seven hundred

twenty-three dollars ($1,745,723.) for the purpose of carrying into effect the provisions of this act and for that purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire. The governor and council shall determine the form of such bonds or notes, their rate of interest, the dates when interest shall be paid, the dates of maturities, the places where principal and interest shall be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

Amend section 9 of the bill by striking out the words and figures "one million nine hundred forty-eight thousand one hundred twenty-three dollars ($1,948,123.)", and inserting in place thereof the words and figures one million seven hundred forty-five thousand seven hundred twenty-three dollars ($1,-745,723.)., so that said section as amended shall read as follows: 9. *Short Term Notes.* Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no one time shall the indebtedness of the state on such short term loans exceed the sum of one million seven hundred forty-five thousand seven hundred twenty-three dollars ($1,745,723.).

The report was accepted, and the amendment was adopted.

Mr. Pillsbury of Manchester offered the following amendment.

Amend paragraph IV of section 2 under State Hospital by inserting after the word "Thayer" the word, and, so that said paragraph shall read as follows:

*Remodel Thayer and for Administration.

The question being on the amendment.

(Discussion Ensued)

Mr. Pillsbury of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Scamman of Stratham for the Committee on Appropriations to whom was referred House Bill No. 420, An Act

to provide for a revision of the public laws. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by inserting after the word "systematic" the word, annotated, and by striking out the word "volume" in the last line and inserting in place thereof the words, volumes and index, so that said section as amended shall read as follows:

1. *Commission Appointed.* The governor and council shall appoint a commission consisting of three persons learned in the law who are authorized and directed to supervise the work necessary to revise, codify and amend the public laws of this state now in force as defined in section 3, and to arrange the same in a systematic, annotated and condensed form, so far as they deem wise, according to the general scheme and plan of the Revised Laws so as to compress the whole into the smallest practical volumes and index.

Amend section 4 of said bill by striking out said section and inserting in place thereof the following:

4. *Duties and Powers.* The commision shall accomplish its purposes as provided in section 1 in the most economical manner possible. The commission shall have full authority to accept any available assistance in its work, to employ such assistants as it may deem necessary and to negotiate a contract in the name of the State of New Hampshire where the work may be more expeditiously accomplished. Providing nevertheless that all rights to resale for not less than two thousand sets of the new revision shall be reserved to the State of New Hampshire. The commission is authorized to eliminate provisions of laws that are obsolete, redundant or unconstitutional and, wherever possible, a multiplicity of statutes on the same subject shall be integrated and combined. Incongruities and inconsistencies shall be resolved by the commission in such manner as to effectuate the legislative intent. The commission shall report its progress in accomplishing the purposes of this act to the general court in January, 1955.

Amend section 5 of said bill by striking out said section and inserting in place thereof the following:

5. *Appropriation.* The sum of one hundred and twenty thousand dollars, or so much thereof as may be necessary, is hereby appropriated for the purposes of this act. To provide

funds for this appropriation the state treasurer is hereby authorified, under the direction of the governor and council, to borrow upon the credit of the state not exceeding the sum of one hundred and twenty thousand dollars and for said purposes may issue bonds and notes in the name of and on behalf of the State of New Hampshire. The governor and council shall determine the form of such bonds or notes, their rate of interest, the dates when interest shall be paid, the dates of maturities, the places where principal and interest shall be paid, and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor, and shall be deemed a pledge of the faith and credit of the state. The proceeds of the sale of said bonds or notes shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act alone. Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereunder borrow money from time to time on short term loans, which may be refunded by the issuance of the bonds or notes hereunder. Such bonds or notes may be negotiated and sold by the treasurer by direction of the governor and council as they deem to be most advantageous to the state.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

House Bill No. 434, An Act to provide for a central commissary bakery at the state prison was withdrawn by the chairman of the Committee on Appropriations.

Mr. Barry of Wilton for the Committee on Appropriations to whom was referred House Bill No. 444, An Act relative to the division of accounts. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Taylor of Whitefield for the Committee on Appropriations to whom was referred House Joint Resolution No. 24, Joint Resolution relative to a study of sports activities in the Mount Washington, Pinkham and Crawford Notch areas. Having considered the same, reported the same with the following amendment, and the recommendation that the Joint Resolution as amended ought to pass.

Amend the joint resolution by striking out all after the resolving clause and inserting in place the following:

That the forestry and recreation commission is hereby directed to make a study of the Mount Washington, Pinkham and Crawford Notch areas, for the purpose of providing plans to expand the summer and winter sports activities in those areas. Said commission shall make a report of its study to the 1955 session of the legislature. For the purpose of providing funds for the study hereby authorized, the sum of twenty-five hundred dollars ($2500) is hereby appropriated to be expended by the said commission. The governor is hereby authorized to draw his warrant for the sum hereby appropriated from a fund not otherwise appropriated.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Baron of Claremont for the Joint Committees on Appropriations and Judiciary to whom was referred House Joint Resolution No. 52, Joint Resolution relating to the investigation of subversive activities. Having considered the same, reported the same with the following amendment, and the recommendation that the Joint Resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the attorney general is hereby authorized and directed to make full and complete investigation with respect to violations of the subversive activities act of 1951 and to determine whether subversive persons as defined in said act are presently located within this state. The attorney general is authorized to act upon his own motion and upon such information as in his judgment may be reasonable or reliable. He may authorize any member of his staff to conduct on his behalf any part of the investigation herein provided for and in such event and for such purposes any member so authorized shall have all of the powers herein granted to the attorney general.

For the purposes of this resolution, the attorney general or any duly authorized member of his staff is authorized to sit and act at such times and places during this session of the 1953 legislature, recess and adjourned periods, and to employ such attorneys, experts, clerical and other assistance as may be

required, to require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, and to administer such oaths, to take such testimony and to make such expenditures within the limitations authorized herein as he deems advisable. The provisions of section 7 of chapter 193 of the Laws of 1951 shall be inapplicable to the investigation provided for herein, and the attorney general is hereby authorized to make public such information received by him, testimony given before him, and matters handled by him as he deems fit to effectuate the purposes of this resolution.

The attorney general is directed to proceed with criminal prosecutions under the subversive activities act whenever evidence presented to him in the course of the investigation indicates violations thereof, and he shall report to the 1955 session on the first day of its regular session the results of this investigation, together with his recommendations, if any, for necessary legislation. There is hereby appropriated for the expenses of this investigation a sum not to exceed ten thousand dollars and this sum shall include the cost of printing such report as is provided for by this resolution, and shall be expended under the direction of the attorney general. The governor is hereby authorized to draw his warrants for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

The report was accepted and the amendment adopted.

Mr. Attala of Manchester offered the following amendment:

Amend the Joint Resolution by striking out all after the resolving clause and inserting in place thereof the following:

That there is hereby established a special commission consisting of the attorney general, an investigator appointed by the attorney general, three members of the senate, to be appointed by the president of the senate, and six members of the house of representatives, to be appointed by the speaker of the house, to conduct an investigation into the infiltration of educational institutions by subversive organizations and persons including public and private schools and colleges. Said commission shall have authority to hold hearings and to subpoena witnesses to appear before it. Any person who shall refuse to testify before a state or federal commission or other

official agency concerning his or her membership, past or present, in any subversive organization shall be ineligible to teach in any public or private educational institution. The superior court shall have jurisdiction to restrain and enjoin any teacher, who refuses to so testify, from holding any teaching job. Said special commission shall also investigate violations of chapter 312, Laws of 1949. For the purposes of this resolution there is hereby appropriated the sum of ten thousand dollars to be spent under the direction of the office of the attorney general.

The question being on the amendment.

(Discussion Ensued)

Messrs. Attala and Kearns of Manchester spoke in favor of the amendment.

Messrs. Baron of Claremont and Wells of Newton spoke against the amendment.

On a *viva voce* vote the amendment was not adopted and the bill was ordered to a third reading.

Mr. Perley of Lebanon for the Committee on Executive Departments and Administration to whom was referred Senate Bill No. 67, An Act relative to the confidential nature of records of voluntary patients of the commission on alcoholism. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Powell of Sutton for the Committee on Executive Departments and Administration to whom was referred Senate Bill No. 70, An Act relative to civil defense agency. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Bennett of Keene for the Committee on Executive Departments and Administration to whom was referred Senate Bill No. 93, An Act amending the charter of the New Hampshire Centennial home for the aged. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Taken from the Table

House Bill No. 7 (In New Draft), An Act providing for salaries of unclassified state officials, and establishing certain positions.

The question being on the amendment as printed in the Journal for May 27.

Mr. Young of Pittsfield offered the following amendment.

Amend the amendment by striking out the words and figures "Deputy secretary of state, $5,500-$6,650" and inserting in place thereof the words and figures, Deputy secretary of state, $6,500-$7,800; and by striking out the words and figures, "Secretary of state, $6,500-$7,800" and inserting in place thereof the words and figures, Secretary of state, $7,500-$8,950.

The question being on the amendment.

(Discussion Ensued)

Mr. Young of Pittsfield spoke in favor of the amendment.

Messrs. McMeekin of Haverhill and Ferguson of Pittsfield spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Young of Pittsfield called for a division.

A division being had, 78 members having voted in the affirmative and 190 members having voted in the negative, the amendment was not adopted.

The question being on the amendment offered by the Committee on Appropriations.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Personal Privilege
Rule 17

Mr. Wells of Newton rose to be recorded as excused from voting, under rule 17, on House Bill No. 7 (In New Draft), An Act providing for salaries of unclassified state officials.

Committee of Conference Report

The Committee of Conference to whom was referred House Bill No. 180, An Act relating to the salaries of the

justice, special justice and the clerk of the Municipal court of Manchester, and salary of the justice of the Municipal court of Lebanon, having considered the same, report the same with the recommendation that Senate recede from its position in adopting its amendment and that the House recede from its position of non-concurrence, and the following amendment be adopted:

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Manchester Special Justice.* Amend section 4 of chapter 377 of the Revised Laws, as amended by chapters 179 and 260 of the Laws of 1947 and chapters 26 and 105 of the laws of 1953, by striking out the words "eighteen hundred" in the eighth line and inserting in place thereof the words, two thousand, so that said section as amended shall read as follows: 4. *Compensation of Special Justices.* The special justice of the peace requested to sit owing to the disqualification of the justice and special justice shall be paid, from the treasury of the city or town wherein said court is located, ten dollars a day for each day or part thereof that he shall serve in said capacity; provided, that the annual salaries of the special justices of the municipal courts of the following cities and town shall be as follows, of Manchester two thousand dollars, of Nashua fifteeen hundred dollars, of Dover two hundred dollars, of Concord one thousand dollars, of Portsmouth four hundred dollars, of Laconia two hundred dollars, and of Hampton one hundred and fifty dollars, to be paid by said cities and town, respectively, quarterly, and shall be in lieu of any other compensation or fees to such justices.

Amend section 3 of the bill by striking out the words "five thousand" in the sixth and thirteenth lines and inserting in place thereof the words, four thousand six hundred, so that said section as amended shall read as follows: 3. *Manchester and Lebanon Municipal Courts.* Amend paragraph I of section 31 of chapter 377 of the Revised Laws, as amended by chapter 232 of the Laws of 1947 and by chapter 73, Laws of 1953, by striking out the words, "Manchester, three thousand eight hundred" and inserting in place thereof the words, Manchester, four thousand six hundred, and by striking out the words "Lebanon, one thousand" and inserting in place thereof the words, Lebanon, one thousand five hundred, so that said paragraph as amended shall read as follows:

I. *Salaries of Justices.* Salaries of justices of municipal courts shall be paid from the treasury of the city or town in which such courts are located, may be paid quarterly or monthly, and shall be in the following sums per annum:

In Manchester, four thousand six hundred dollars;
In Nashua, two thousand eight hundred dollars;
In Concord, three thousand five hundred dollars;
In Portsmouth, one thousand eight hundred dollars;
In Dover, one thousand eight hundred dollars;
In Laconia, one thousand eight hundred dollars;
In Keene, one thousand eight hundred dollars;
In Claremont, one thousand eight hundred dollars;
In Berlin, one thousand eight hundred dollars;
In Rochester, one thousand two hundred dollars;
In Lebanon, one thousand five hundred dollars;
In Newport, nine hundred dollars;
In Derry, nine hundred dollars;
In Franklin, nine hundred dollars;
In Exeter, eight hundred dollars;
In Somersworth, eight hundred dollars;
In Littleton, eight hundred dollars;
In Milford, six hundred dollars.

HENRY J. DUPONT
MARTIN J. O'NEIL
JOHN PILLSBURY
Conferees on the part of the House

NORMAN A. PACKARD
PAUL H. DANIEL
Conferees on the part of the Senate

The report was accepted.

The question being on agreeing to the report.

(Discussion Ensued)

Mr. Kearns of Manchester spoke in favor of the question.

Mr. Danforth of Manchester moved that the House do not agree and that a new committee of conference be appointed.

The question being on the motion.

(Discussion Ensued)

Mr. Danforth of Manchester spoke in favor of the motion.

Messrs. Dupont, Martel, Pillsbury and Kearns of Manchester spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on agreeing to the report.

On a *viva voce* vote the report of the committee of conference was agreed to.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolution:

Whereas, the General Court has learned that the City of Nashua is celebrating its 100th anniversary this year, and

Whereas, the citizens of Nashua are planning to make this Centennial celebration an outstanding event in the history of Nashua, and

Whereas, the honorable Mayor and members of the Board of Aldermen have invited the members of the General Court to attend said celebration,

Now Therefore be it Resolved by the Senate and House of Representatives in General Court Convened:

That we do hereby extend to the citizens of Nashua congratulations and best wishes for a successful celebration, and be it further

Resolved, that the membership of the General Court accept the kind invitation to be present and visit their fellow New Hampshire citizens during the period from June 17 to June 28, 1953.

The message further announced that:

The Senate refused to concur in the amendments to Senate Bill No. 77, An Act relative to child labor, and asks for a Committee of Conference and the President has appointed as members of such a committee on the part of the Senate, Senators Heroux and Fletcher.

On motion of Mr. Angus of Claremont the House voted to accede to the request of the Honorable Senate for a committee of conference.

The Speaker appointed as members of such committee

on the part of the House Messrs. Angus of Claremont, Haley of Keene and O'Neil of Manchester.

The message further announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 312, An Act providing for a revolving fund for use by the state technical institutes.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Building Construction Projects Revolving Fund.* Amend chapter 204 of the Laws of 1945 and insert after section 6 the following new section: 6-a. *State Technical Institute.* Said board of education is hereby ordered to establish and administer a state revolving fund to be known as the Building Projects Revolving Fund. The moneys in said fund shall be used for the purpose of carrying on building construction projects, including acquisition of real estate, entered into by the state trade schools, now known as the state technical institutes. The construction projects authorized hereunder shall be governed by the following rules: (1) Students at institutes shall construct small dwellings; (2) no more than one such dwelling shall be constructed in one fiscal year, and (3) after the construction of the first unit no new unit shall be begun until the first unit shall be sold as hereinafter provided. When any project hereunder is completed the state board of education shall provide for the sale of said building at auction. Funds received from any sale of a building under authority hereof shall be credited to the revolving fund hereby established to an amount not exceeding six thousand dollars ($6,000). The excess, if any, shall be paid into the general funds of the state.

On motion of Mr. Martel of Manchester the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 216, An Act amending the unemployment compensation law.

Amend section 6 of House Bill No. 216 by striking out the whole of the same and inserting in place thereof the following: 6. *Merit Ratings.* Amend subsection D of section 6 of said chapter 218, as amended by section 14, chapter 138 of the Laws of 1945, section 17, chapter 59 of the Laws of 1947, section 11, chapter 185 and section 1, chapter 251 of the Laws of 1949, and section 4, chapter 36 and sections 2, 3, 4, 5, and 6, chapter 142 of the Laws of 1951, by striking out the whole of the same and inserting in place thereof the following: D. *Merit Ratings.* (1) The commissioner shall for each calendar year classify employers in accordance with their actual experience in the payment of contributions on their own behalf and with respect to benefits charged against their accounts, with a view to fixing such contribution rates as will reflect such experience; such rate to become effective with the fiscal year beginning July 1, 1951 and on each succeeding fiscal year beginning on July 1 thereafter.

(2) The pay roll factor in such computation will represent the average annual pay roll for the three immediately preceding consecutive calendar years prior to January 1 of the year to which the computation applies. The benefit factor will be represented by all benefits paid and charged against the account of that employer up to and including the preceding December 31.

(3) No employer shall be entitled to a rate of less than 2.7 per centum unless and until as of January 1 of the year wherein the rate becomes applicable there had been three consecutive calendar years wherein the account of the employer was chargeable with benefits.

(4) No employer shall be entitled to a merit rating under this subsection for the first half of any fiscal year effective with the fiscal year beginning July 1, 1951 unless and until the balance of the unemployment compensation fund as of March 31, preceding said first half of said fiscal year, equals or exceeds twelve million dollars, at which time the computations and rates delineated in Schedule I will, subject to further provisions hereinbelow made, become effective and applicable for said first half of said fiscal year; it being further provided that no employer shall be entitled to a merit rating under this subsection for the second half of any fiscal year effective with the fiscal year beginning July 1, 1951 unless and until the balance of the unemployment compensation fund as of Sep-

tember 30, preceding said second half of said fiscal year, equals or exceeds twelve million dollars, at which time the computations and rates delineated in Schedule I will, subject to further provisions hereinbelow made, become effective and applicable for said second half of said fiscal year. It being further provided that if as of March 31 preceding the first half of any fiscal year effective with the fiscal year beginning July 1, 1951, the unemployment compensation fund equals or exceeds eighteen million dollars, the computations and rates delineated in Schedule II will become effective and applicable for said first half of said fiscal year. It being further provided that if as of September 30 preceding the second half of any fiscal year effective with the fiscal year beginning July 1, 1951, the unemployment compensation fund equals or exceeds eighteen million dollars, the computations and rates delineated in Schedule II will become effective and applicable for said second half of said fiscal year.

(5) It is further provided that the time the operation of a business of an employer was suspended because of the employer's service in the armed forces during World War II, or because of the employer's service in the armed forces of the United States or any of its allies or of the United Nations after July 1, 1950, shall be considered as if the business had been actively and continuously operating during such period.

(6) Should the commissioner determine at any time that the solvency of the fund does not permit the adoption or maintenance of individually reduced contribution rates under this subsection, he shall, for the purposes of this subsection, set a standard rate for all employers of 2.7 per centum per annum. The commissioner may make such change effective with the first day of any calendar quarter.

(7) No employer shall be entitled to a merit rating under this subsection for any fiscal year effective with the fiscal year beginning July 1, 1951 unless, as of the computation date preceding said fiscal year, he has properly and duly submitted reports and contributions required and due under the provisions of this chapter. It is provided, however, that any employer who loses his rate because of the foregoing and reestablishes his rights prior to the beginning of the fiscal year to which a rate might have been applicable, may apply for the reinstatement of the rate to which he would have been en-

titled, said rate to become effective for the last three quarters of the fiscal year in question.

(8) The computation date will be known as December 31 (to include contributions on that year's and prior years' employment paid through the succeeding January 31) and the effective date as July 1. If, as of the computation date, the total of all contributions paid on an employer's own behalf and credited to his account for all past years exceeds the total benefits charged against his account for all past years and, subject to the provisions and conditions hereinabove fully described as to the status of the unemployment compensation fund being equal to or exceeding twelve million dollars but not being equal to or exceeding eighteen million dollars, his contribution rate effective as hereinabove provided shall be determined by subtracting from the maximum contribution rate of 2.7 per centum the following amounts:

Schedule I.

(a) Two-tenths of one per centum if such excess equals or exceeds eight per centum of his average annual pay roll;

(b) Four-tenths of one per centum if such excess equals or exceeds nine per centum of his average annual pay roll;

(c) Seven-tenths of one per centum if such excess equals or exceeds ten per centum of his average annual pay roll;

(d) Nine-tenths of one per centum if such excess equals or exceeds eleven per centum of his average annual pay roll;

(e) One and two-tenths per centum if such excess equals or exceeds twelve per centum of his average annual pay roll;

(f) One and one-half per centum if such excess equals or exceeds fourteen per centum of his average annual pay roll;

(g) One and seven-tenths per centum if such excess equals or exceeds fifteen per centum of his average annual pay roll.

(9) It is further provided that, subject to the provisions and conditions hreinabove fully described as to the status of the unemployment compensation fund being equal to or exceeding eighteen million dollars, said employer's contribution rate effective as hereinabove provided shall, after com-

putation is made in the manner described in the next preceding paragraph, be determined by subtracting from the maximum contribution rate of 2.7 per centum the following amounts:

Schedule II.

(a) Two-tenths of one per centum if such excess equals or exceeds five per centum of his average annual pay roll;

(b) Four-tenths of one per centum if such excess equals or exceeds six per centum of his average annual pay roll;

(c) Eight-tenths of one per centum if such excess equals or exceeds eight per centum of his average annual pay roll;

(d) One and one-tenth per centum if such excess equals or exceeds nine per centum of his average annual pay roll;

(e) One and five-tenths per centum if such excess equals or exceeds ten per centum of his average annual pay roll;

(f) One and eight-tenths per centum if such excess equals or exceeds eleven per centum of his average annual pay roll;

(g) Two and one-tenth per centum if such excess equals or exceeds twelve per centum of his average annual pay roll;

(h) Two and two-tenths per centum if such excess equals or exceeds fourteen per centum of his average annual pay roll.

(10) No employer shall be entitled to a contribution rate of less than one-half of one per centum.

(11) No employer shall be entitled to have more than seven-tenths of one per centum subtracted from the contribution rate established in accordance with this subsection unless the total contributions which became due and were credited to his account in the fund during all past years were at least twice the total benefits paid from the fund and chargeable to his account within the last preceding calendar year.

(12) As used in this section after December 31, 1940, the term "annual pay roll" means the total amount of wages paid by an employer (regardless of the time of payment) for employment during a calendar year, and the term "average annual pay roll" means the average of the annual pay rolls of an employer for the last three preceding calendar years.

(13) Reports to an employer of the merit rating of said employer for the applicable rating period shall be furnished in

such manner as the commissioner may prescribe, but in any event not less frequently than once every year. Any merit rating assigned to any employer under this section, of which the employer has been notified, shall be considered correct for all purposes unless objections to such merit rating are received within thirty days after notification of said employer's merit rate for the ensuing year has been mailed to the employer's last known address.

(14) Any merit rating which prior to the effective date of this section has been assigned to any employer, of which the employer has been notified, shall be considered correct for all purposes unless objections to such merit rating are received within thirty days after the effective date of this section.

(15) If objections to such merit rating duly and properly made are received, any redetermination of said merit rating, of which the employer has been notified, shall be considered correct for all purposes unless objections to such redetermination are received within thirty days after such notification of said redetermination has been mailed to the employer's last known address.

(16) Except as otherwise provided in this section, whenever through inadvertence or mistake erroneous charges or credits are found to have been made to rating accounts, the same shall be readjusted as of the date of discovery and such readjustment shall not affect any computation or rate assigned prior to the date of discovery but shall be used on the next computation date in calculating the future contribution rates.

On motion of Mr. Angus of Claremont further reading of the amendment was dispensed with.

On motion of Mr. Angus of Claremont the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 278, An Act relative to the restoration of the clam fisheries in New Hampshire.

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1. *Clams.* Amend section 63 of chapter 245 of the Revised Laws as amended by chapter 124 of the Laws of 1943, and by chapter 132 of the Laws of 1945, and by chapter 214 of the

Laws of 1951, by striking out said section and inserting in place thereof the following: 63. *Clams; Regulations; Closed Season; Licenses and Permits; Advisory Committee.* The taking of clams within the public waters or flats of New Hampshire is forbidden for the further period of four years from September 1, 1953, provided, however, that residents of this state and non-residents owning real estate in the state licensed by the fish and game commission shall be permitted to dig one peck of clams per day for personal use but not for commercial use in the following places only; Blackwater River, Mill River, Brown's River, Taylor River, Tidewater Mills, Great Bay, Piscataqua River, Rye Harbor, Little Harbor, Sagamore Creek, and any other rivers, creeks or flats not tributary to the Hampton River, said residents and non-residents to be permitted to dig clams in the aforesaid places by the use of clam-digging forks; and provided further that these restrictions shall not apply to the fish and game commission or its authorized representatives in conducting their experimental work. No clams under two and one-half inches shall be taken from said places. Upon the expiration of said period of four years, the fish and game commission shall establish regulations for the taking of clams, defining daily bag limits and providing for protection of clams during the spawning season. The commission shall require annual licenses and permits for the taking of clams and shall charge a fee of two dollars for each such license. Locke's Point, Eastman Slough, and the flats to the eastward thereof up to Hobbs Point at the junction of Taylor River and Nudd's Canal are hereby established as an area for the purpose of the development and propagation of clams, and clam experimentation and research, by or under the direction of the fish and game commission. The director may authorize town or city clerks to issue clam licenses for a fee of two dollars, twenty cents of each fee to be retained by said clerk. The governor with the advice and consent of the council shall appoint an advisory committee of three persons from the seacoast region, to recommend programs and policies regarding shore fisheries to the fish and game commission. The advisory committee are hereby established as an area for the purpose of the development and propagation of clams, and clam experimentation and research, by or under the direction of the fish and game commission. The director may authorize town or city clerks to issue clam licenses for a fee of two dollars, twenty

cents of each fee to be retained by said clerk. The governor with the advice and consent of the council shall appoint an advisory committee of three persons from the sea-coast region, to recommend programs and policies regarding shore fisheries to the fish and game commission. The advisory committee shall study and recommend the advisability and method for financing a division of coastal fisheries within the fish and game department, together with a study of the desirability of establishment of a state coastal fisheries research station at Hampton Harbor.

On motion of Mr. Locke of Dover further reading of the amendment was dispensed with.

On motion of Mr. Locke of Dover the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 277, An Act to further regulate the taking of oysters.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Licenses Required.* Amend section 60 of chapter 245 of the Revised Laws by inserting at the end of the first sentence the words: or a nonresident owning real estate in the state, nor unless he has been duly licensed to take oysters as provided in section 61-b of this chapter, so that said section as as amended shall read as follows: 60. *Oysters.* No person shall at any time take oysters from Great Bay or its tributaries, Little Bay, or Durham River, unless he is a resident of the state or a non-resident owning real estate in the state, nor unless he has been duly licensed to take oysters as provided in section 61-b of this chapter. No person shall take oysters during the months of June, July, and August, or through the ice, or in any manner other than by the use of hand tongs.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Application Fees.* Amend chapter 245 of the Revised Laws, by inserting after section 61-a, as insetred by section 2 of chapter 237 of the Laws of 1949, the following new section: 61-b. *Licenses for Taking Oysters.* Any resident of the state, or non-resident owning real estate in the state, over the

age of sixteen years may, on application to the director of fish and game, be granted a license to take oysters as provided by section 60. Said license shall be for the current calendar year and the fee for each such license shall be two dollars.

On motion of Mr. Locke of Dover further reading of the amendment was dispensed with.

On motion of Mr. Locke of Dover the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 34, An Act establishing the New Hampshire tri-state commission.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles only.

Third Readings

House Bill No. 7, (In New Draft), An Act providing for salaries of unclassified state officials, and establishing certain positions.

House Bill No. 219, An Act relative to the state share of the salaries of superintendents of supervisory unions.

House Bill No. 377, An Act making an appropriation for capital improvements and long term repairs for the State of New Hampshire.

House Bill No. 420, An Act to provide for a revision of the public laws.

House Bill No. 444, An Act relative to the division of accounts.

House Joint Resolution No. 24, Joint Resolution relative to a study of sports activities in the Mount Washington, Pinkham and Crawford Notch areas.

House Joint Resolution No. 52, Joint Resolution relating to the investigation of subversive activities.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 67, An Act relative to the confidential nature of records of voluntary patients of the commission on alcoholism.

Senate Bill No. 70, An Act relative to civil defense agency.

Senate Bill No. 93, An Act amending the charter of the New Hampshire Centennial Home for the aged.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Studley of Rochester at 2:39 o'clock the House adjourned.

WEDNESDAY, JUNE 3, 1953

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Rev. Harold W. Holder, Church of Our Saviour (Episcopal), Milford.

Almighty God, who hast given us this good land for our heritage; We humbly beseech thee that we may always prove ourselves a people mindful of thy favor and glad to do thy will. Bless our land with honorable industry, sound learning, and pure manners. Save us from violence, discord and confusion; from pride and arrogancy, and from evil way. Defend our liberties, and fashion into one united people the multitude brought hither out of many kindreds and tongues. Endue with the spirit of wisdom those to whom in thy Name we entrust the authority of government, that there may be justice and peace at home, and that through obedience to thy law we may show forth thy praise among the nations of the earth. In he time of prosperity fill our hearts with thankfulness, and in the day of trouble suffer not our trust in thee to fail; all which we ask through Jesus Christ our Lord. *Amen.*

Leaves of Absence

Mr. Payeur of Pembroke was granted leave of absence

for Wednesday and Thursday on account of important business.

Mr. Karagianis of Laconia was granted leave of absence for the day on account of illness.

Resolutions

Mrs. Mahoney of Concord offered the following resolution:

Whereas, Monday, June 1, was the 35th Wedding Anniversary of Marion C. Colby of Penacook, House Stenographer for several sessions, and

Whereas, Marion has for many years been a very efficient and popular attache, therefore be it

Resolved, That we, the Members of the House of Representatives, hereby extend our congratulations to her and her husband on having reached this milestone in their married life and our best wishes for many more years of happiness together, and be it further

Resolved, That the Clerk of the House transmit to her a copy of these Resolutions.

On a *viva voce* vote the resolution was unanimously adopted.

Mrs. Frizzell of Charlestown offered the following resolution.

Whereas, today, June 3, 1953, is the 25th or Silver Wedding Anniversary of Eleanor C. Brown of Charlestown, Appropriations Committee Stenographer for several sessions and

Whereas, Eleanor has for many years been a very efficient and popular attache, therefore be it

Resolved, That we, the Members of the House of Representatives, hereby extend our congratulations to her and her husband on having reached this milestone in their married life and our best wishes for many more years of happiness together, and be it further

Resolved, That the Clerk of the House transmit to her a copy of these Resolutions.

On a *viva voce* vote the resolution was unanimously adopted.

Report of Committee on Engrossed Bills

Mrs. Landers of Keene for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Bill:

House Bill No. 107, An Act relating to investments of savings banks.

The report was accepted.

Introduction of Joint Resolutions

The following joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Committee on Rules (Mr. Pillsbury of Manchester), House Joint Resolution No. 55, Joint resolution in favor of the estate of William B. Cushing. To the Committee on Appropriations.

On motion of Mr. Pillsbury of Manchester the rules of the House were so far suspended as to dispense with the printing, and reference to Committee and the bill was put upon its third reading and final passage, by title only, at the present time.

The Joint resolution was then read a third time and passed and was sent to the Senate for concurrence.

By Committee on Rules (Mr. Pillsbury of Manchester), House Joint Resolution No. 56, Joint resolution in favor of the estate of Henry M. Moffett. To the Committee on Appropriations.

On motion of Mr. Pillsbury of Manchester the rules of the House were so far suspended as to dispense with the printing, and reference to committee, and that the bill was put upon its third reading and final passage, by title only, at the present time.

The joint resolution was then read a third time and passed and was sent to the Senate for concurrence.

On motion of Mr. Ingham of Winchester the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Spaulding of Hudson for the Committee on Public Works to whom was referred House Bill No. 72, An Act relative to procedure to be followed in state construction con-

tracts and as to authority of public works and highways departments. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

1. Amend paragraphs I and II of section 13 of chapter 90-A of the Revised Laws as inserted by Part 9 of chapter 5, Laws of 1950, by striking out said paragraphs and inserting in place thereof the following:

I. It is hereby declared to be the policy of the state that major state projects, except state aid and town road aid if not eligible for federal aid, shall be built by the contract method under competitive bidding, and that independent registered professional architects or registered professional engineers shall be employed for the construction, maintenance and betterments on fixed plants or buildings whose cost exceed $25,000. It is further declared to be the policy of the state that all awards under such competitive bidding shall be to the lowest responsible bidder. It is further declared to be the policy of the state that state contract construction shall not be performed on the basis of a cost-plus contract, so-called. Provided, however, that except in emergencies such projects not in excess of $10,000 may be done on a force account basis upon the recommendation of the commissioner and approval of the governor and council.

II. No state contract construction exceeding one thousand dollars for any individual project shall be awarded to any independent contractor except under conditions of competitive bidding and as hereinafter provided. Within thirty days from the date of opening bids, the commissioner, if in his opinion the bid of the lowest bidder should be accepted, shall prepare a contract of acceptance of such lowest bid which he shall execute in the name of the state and upon execution thereof by the lowest bidder and after approval thereof by the attorney general as to form, and of the comptroller as to availability of funds, he shall transmit said contract to the governor and council for approval and upon approval thereof by the governor and council, it shall become a valid contract of the state. In any case under competitive bidding where for just cause shown the lowest bid submitted should be rejected, the commissioner shall transmit promptly to the governor and council a recommendation for such rejection stating his reasons therefor. The governor and council shall thereupon re-

view such recommendation and any other facts available to them, requiring a public hearing upon request of any bidder or on their own motion to fully establish such facts, and make such determination as in their judgment shall be for the best interests of the state. Such determination shall be entered upon the records of the secretary of state. The state reserves the right to reject any and all bids or to negotiate with the lowest responsible bidder. If not more than one bid is received on any state project advertised for contract construction, the commissioner subject to the approval of the governor and council may negotiate a contract for such construction upon terms which he may deem most advantageous to the state. Provided, however, that as to projects built with federal aid, if any provision of this section is inconsistent with the requirements of applicable federal law and regulations, the latter shall control.

2. Amend paragraph II of section 14 of said chapter 90-A by striking out said paragraph and inserting in place thereof the following:

II. The performance of contracts for all state projects having cost in excess of $5,000 shall be inspected to assure compliance with the plans and specifications and the department shall require inspection service to be rendered by one of the following methods: (a) by the supervising architect or supervising engineer or his representative, (b) by qualified personnel of the public works and highways department. Prior to the execution of a contract for a state project the department shall notify the state agency, institution or department concerned which method of inspection shall be followed. An authorized agent of the department shall give to the using agency or institution signed written statements periodically that the contract is being executed according to specifications and, at the end, that the project has been completed in accordance with the specifications. Manifests for such payments are to be made and signed by the using agency, department or institution. Manifests for final payment shall certify that inspections have been carried out, that the project has been completed in accordance with the specifications and contract and that it has been accepted. Such manifests shall be certified by the department that the progress reports furnished by the department are correct and that inspections have been made and the provisions of the plans and specifications have been carried out.

3. Amend section 26 of chapter 264 of the Revised Laws as amended by section 1 of chapter 182 of the Laws of 1943 and section 1 of chapter 71 of the Laws of 1949 by striking out the word "eighty" in the twelfth line and inserting in place thereof the words, one hundred, so that said section as amended shall read as follows: 26. *Bond Required.* Officers, public boards, agents or other persons who contract in behalf of the state or any political subdivision thereof for the construction, repair or rebuilding of public buildings, public highways, bridges or other public works shall if said contract involves an expenditure of ten thousand dollars, and may if it involves an expenditure of less amount, obtain as a condition precedent to the execution of the contract, sufficient security by bond or otherwise, in an amount equal to a least one hundred per cent of the contract price, or of the estimated cost of the work if no aggregate price is agreed upon, conditioned upon the payment by the contractors and subcontractors for all labor performed or furnished, for all equipment hired, including trucks, for all material used and for fuels, lubricants, power, tools, hardware and supplies purchased by said principal and used in carrying out said contract, and for labor and parts furnished upon the order of said contractor for the repair of equipment used in carrying out said contract. Said bond shall be negotiated for, procured from and the premium therefor paid to a resident agent of an insurance company registered and licensed to do business in this state. No such insurance company or resident agent, personally or by another, shall allow, give or pay, directly or indirectly, to any non-resident agent or non-resident broker any part of the commission on the sale of said bond. The insurance commissioner may suspend or revoke the license of any resident agent or insurance company violating the provisions hereof.

4. Amend section 5-a of chapter 22 of the Revised Laws, as inserted by section 2 of chapter 21 of the Laws of 1943, and as amended by section 2, of chapter 252 of the Laws of 1951, by striking out said section and inserting in place thereof the following: 5-a. *Purposes.* The governor is hereby authorized to draw his warrant with the advice and consent of the Council, upon any money in the general fund of the treasury, for departments other than public works and highways or fish and game, for such sums to be set apart from time to time to the credit of the state treasurer as a working capital fund as

may appear to the governor and council necessary and proper upon recommendation of the comptroller for such of the following purposes as the governor and council may direct: The prompt payment of bills for materials, equipment and supplies purchased upon purchase orders issued by the director of purchase and property and bills incurred for liquor purchased by the state liquor commission under the provisions of chapter 170, Revised Laws, as amended, on which discounts are available upon such prompt payment; properly certified partial payments on contracts; the payment of bills for postage stamps; the payment of salaries and expenses of officers and of persons employed in the state service, as determined by the director of personnel, on pay rolls certified by the heads of the said departments, institutions or agencies or their duly authorized deputies and by the director of personnel; any payment of direct aid to welfare recipients under programs administered by the department of public welfare. The governor is likewise (for working capital) hereby authorized to draw his warrant, with the advice and consent of the council, upon any money in the highway fund for the following expenditures for the public works and highways department, or upon any money in the fish and game fund for the following expenditures for the fish and game department. The prompt payment of bills for materials, equipment and supplies purchased upon purchase orders issued by the director of purchase and property on which discounts are available upon such prompt payment; for the payment of bills for postage stamps, the payment of salaries and expenses of officers and of persons employed in the state service for the respective departments, properly certified partial payments on contracts, as determined and certified as above provided. No other payments shall be made from said working capitals except as provided for herein. This section shall not authorize the manifesting, approval, or payment of any claim in excess of appropriations or for purposes for which appropriations do not exist. A warrant duly executed under this section shall be a sufficient warrant under section 9 of chapter 22 of the Revised Laws. The state treasurer is hereby authorized to reimburse the public works and highways department from working capital funds for any proper expenditures made by the department from its authorized revolving fund.

5. This act shall apply to all departments, boards, com-

missions and institutions, corporate or other.

6. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, and the amendment laid upon the table to be printed under rule 48.

Committee Reports

Miss Loizeaux of Plymouth for the Committee on Appropriations to whom was referred House Bill No. 165, An Act relative to aeronautical funds. Having considered the same, reported the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Brown of Laconia moved that the words "ought to pass" be substituted for the report of the committee, that it is inexpedient to legislate.

The question being on the motion to substitute.

(Discussion Ensued)

Mr. Brown of Laconia spoke in favor of the motion.

Messrs. Pillsbury of Manchester and Ferguson of Pittsfield spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail.

Mr. Black of Bennington called for a division but subsequently withdrew his demand.

The question being on the resolution of the committee, that it is inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Rainie of Concord for the Committee on Executive Departments and Administration to whom was referred Senate Bill No. 97, An Act to authorize the purchase of inventories. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by adding at the end thereof the following: The state treasurer upon presentation by the director of purchase and property of manifests covering said supplies is authorized to pay the same from any money in the

treasury not otherwise appropriated, so that said section as amended shall read as follows:

1. *Director of Purchase and Property.* Amend chapter 14-A of the Revised Laws, as inserted by chapter 21, Laws of 1943, and as amended by chapter 227, Laws of 1949, by adding at the end thereof the following new section: 10. *Sundry Office Materials and Supplies.* The director of purchase and property may purchase sundry office materials and supplies in advance of requisition by state departments and institutions, and such purchases shall be a charge against each departmental or institutional appropriation upon requisition and delivery. The state treasurer upon presentation by the director of purchase and property of manifests covering said supplies is authorized to pay the same from any money in the treasury not otherwise appropriated.

Further amend the bill by adding at the end of section 2 the following, Such purchases shall be a charge upon an inventory account maintained in the office of the comptroller and the state treasurer, upon presentation by the comptroller of manifests covering such materials, supplies and merchandise, is authorized to pay the same from any money in the treasury not otherwise appropriated, so that said section as amended shall read as follows:

2. *Recreation Division.* Amend chapter 234 of the Revised Laws, by inserting after section 19-a, as inserted by section 8, chapter 240, Laws of 1951, the following new section: 19-b. *Inventories.* The forestry and recreation commission may purchase such materials, supplies and merchandise for resale as may be necessary for the operation of its department. Such purchases shall be a charge upon an inventory account. The commission shall report monthly to the comptroller the value of issues out of inventory and the appropriation account to be charged therefor. The inventory account shall be credited with issues out of inventory. Such purchases shall be a charge upon an inventory account maintained in the office of the comptroller and the state treasurer, upon presentation by the comptroller of manifests covering such materials, supplies and merchandise, is authorized to pay the same from any money in the treasury not otherwise appropriated.

The report was accepted.

On motion of Mr. Rainie of Concord further reading of the amendment was dispensed with.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mrs. Cooper of Nashua for the Committee on Judiciary to whom was referred House Bill No. 218, An Act relative to salaries of court stenographers. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Court Stenographers.* Amend section 26 of chapter 395 of the Revised Laws as amended by section 1, chapter 176, Laws of 1947, section 1, chapter 95, Laws of 1949 and section 12, chapter 221, Laws of 1951 by striking out the words "three hundred" in the eighth line and inserting in place thereof the words, six hundred, so that said section as amended shall read as follows: 26. *Appointment.* The superior court, acting as a body, may appoint not more than seven official state court stenographers who shall report the proceedings of the superior court of any county to which they may from time to time be assigned by said court. Each court stenographer shall be sworn to the faithful discharge of his duties and shall receive from the state an annual salary of three thousand six hundred dollars. He shall take full notes of all oral testimony and other proceedings in the trial of causes either at law or in equity including the charge of the justice in all trials before a jury and all comments and rulings of said justice in the presence of the jury during the progress of the trial as well as all statements and arguments of counsel addressed to the court, and during the trial shall furnish for the use of the court or either of the parties a transcript of so much of his notes as the presiding justice may direct. He shall also furnish a transcript of so much of the evidence and other proceedings taken by him as either party to the trial may require, on payment therefor by such party at the rate fixed by the court as provided in section 29.

The report was accepted.

On motion of Mr. Wells of Newton further reading of the amendment was dispensed with.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mrs. Frizzell of Charlestown for the Committee on Judiciary to whom was referred House Bill No. 430, An Act establishing a council on mental health. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 2 and inserting in place thereof the following:

2. *Chairman.* It shall be the duty of the superintendent of the state hospital to call the first meeting of the council at which council shall elect a chairman who shall serve for one year. Thereafter the chairman shall be elected annually.

Amend section 3 of said bill by striking out the word "such" in the third line and inserting in place thereof the words, an annual report and such other, so that said section as amended shall read as follows:

3. *Duties of the Council.* The council shall meet at least once every quarter to advise and consult upon common problems in the field of mental health; to make an annual report and such other reports and recommendations as may be desirable to the governor and council; and subject to approval of the board or commissions of the agencies affected, to make such studies and recommendations upon its own initiative, or upon request, to the general court concerning such changes as it may deem advisable to effectively coordinate the work of the agencies represented by the members in so far as mental health programs are concerned. Its decisions shall be advisory only.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Mendenhall of Dunbarton for the Committee on Military and Veteran's Affairs to whom was referred House Bill No. 236, An Act relative to the United Nations flag. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Walker of Concord for the Special Committee consisting of the delegation from the city of Concord to whom was

referred House Bill No. 74, An Act relative to qualifications for councilmen under the charter of the city of Concord. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *City of Concord.* Amend section 8 of chapter 418, Laws of 1949, being the Charter of the City of Concord, by inserting after the word, "meeting" in the first line the words, in January, so that said section as amended shall read as follows: 8. *Mayor.* The council shall, at its first regular meeting in January following each election, choose one of its members mayor for a term of two years. The council shall choose one of its members mayor pro tem, who shall act in the absence or disability of the mayor. In the event of a vacancy occurring in the office of mayor, the council shall choose one of its members mayor at the next regular meeting to serve for the unexpired term. The mayor shall be the official head of the city for all ceremonial purposes, he shall preside at all meetings of the council, and may speak and vote in such meetings. All other duties of the mayor prescribed by law shall be exercised by the manager provided for in this charter.

2. *Councilmen.* Amend section 9 of said chapter 418 by striking out said section and inserting in place thereof the following: 9. *Qualifications.* No person shall be a candidate for election as councilman who is not a duly qualified voter in the city. Whenever a councilman during his term as such officer moves from the city, or the ward in the case of a ward councilman, and establishes his domicile in some other place, his office as councilman shall be declared vacant and said vacancy shall be filled as provided in section 10. No councilman shall, during his term as councilman, be eligible to hold any other municipal office except mayor or mayor pro tem. This section shall not affect the term of any councilman now serving as a member of the council.

3. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

On motion of Mr. Walker of Concord further reading of the amendment was dispensed with.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Taken from the Table

House Bill No. 441, An Act relating to the enlargement and extension of water-works of the city of Portsmouth. The question being on the amendment as printed in the Journal for May 28.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Mendenhall of Dunbarton for the Committee on Military and Veteran's Affairs to whom was referred House Bill No. 13, An Act creating the flag of the state of New Hampshire, certain distinguishing flags and establishing a state flag code. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Paragraph I of section 3 by adding at the end thereof the words: The state motto, "Live Free or Die," to be suitably disposed in the general design in a scroll or ribbon wave placed above the frigate, the background of the scroll or ribbon wave to be in gold-colored silk or other approved similarly colored material; the letters to be blue, of the same color of the main body of the flag; both the scroll or ribbon wave and the letters thereon shall be outlined by dark red diagonal stitching, so that said paragraph as amended shall read as follows:

I. The body or the field shall be dark blue and upon it shall be superimposed the broadside view of the frigate "Raleigh" on the stocks, the ship's bow dexter and higher than the stern; the three lower masts shown in place, together with the fore, main and mizzen tops, shrouds and mainstays; an ensign staff at the stern flies the United States flag authorized by Act of Congress June 14, 1777; a jury staff on the mainmast flies a regulation commission pennant consisting of a dark blue field bearing seven small white stars in row lengthwise; the rest of the pennant being divided along its length into two equal parts, the upper of red, the lower of white; both such parts of the pennant converging to a tip; the tip of the pennant being split back for approximately ten per cent of its total length;

a jury staff on the foremast flies the commodore's dark blue pennant which has a constellation of thirteen small white stars in a circle near its hoist; the upper and lower edges of the fly are parallel, the end of the pennant, swallow-tailed; flags and pennants are streaming to the dexter side; the hull is shown without a rudder; the frigate to be in silhouette form in gold-colored material, the details of the stocks and other features within the silhouette of the frigate to be outlined by ample dark red diagonal stitching. The state motto, "Live Free or Die," to be suitably disposed in the general design in a scroll or ribbon wave placed above the frigate; the background of the scroll or ribbon wave to be in gold-colored silk or other approved similarly colored material; the letters to be blue, of the same color of the main body of the flag; both the scroll or ribbon wave and the letters thereon shall be outlined by dark red diagonal stitching.

Further amend the bill by inserting after section 5 a new section as follows:

6. *Design Standards.* The design of the flags established by this act, the colors of the various elements thereof, their arrangement, and relative dimensions shall be in accordance with approved drawings or paintings of the flags, certified by the Adjutant General of New Hampshire, and filed with the secretary of state.

Further amend the bill by renumbering sections 6, 7, 8, 9 and 10 to read sections 7, 8, 9, 10 and 11.

The report was accepted.

The question being on the amendment.

(Discussion Ensued)

Mr. Chase of Dover spoke in favor of the amendment.

Mr. Mendenhall of Dunbarton offered the following amendment.

Amend section 3 of the bill by striking out said section and inserting in place thereof the following:

3. *Flag of the State of New Hampshire.* There is created and prescribed for use, in accordance with the provisions of this act, a flag of the state of New Hampshire, hereinafter referred to as the state flag, which shall be paramount in rank to all other flags except the national color and the flags of foreign sovereign states. The design of the state flag shall be

determined as a result of a statewide contest conducted and financed by the planning and development commission. The winning design will be selected on or before November 11, 1953 by a two-thirds vote of a board of nine judges which shall include one representative from each of the following: The American Legion, The Veterans of Foreign Wars, D.A.R., S.A.R., This is New Hampshire, Inc., and the Adjutant General, the state director of art education, the state recreation director, the director of the planning and development commission. The design shall be simple, easily recognizable and distinctive of New Hampshire.

I. The state flag shall be of bunting with appliqued and stitched design when intended for outdoor use. When intended for inside use, it may be of silk (in which latter case the design may be reproduced in embroidery, or appliqued, in colored silk or other material), trimmed on three edges with knotted fringe of gold-colored silk two and one-half inches wide and having attached below the spearhead on the staff a cord having a total length approximately 2.25 times the hoist dimension of the flag; the cord to have at each end a tassel corresponding in size to the fringe; cord and tassel to be similar to the fringe in color.

II. All details, including the relative proportions of elements of the flag and the colors used throughout shall be in accordance with the master design accepted at the time of adoption of the state flag; said master design to be filed with the secretary of state who shall, upon application, furnish suitable reproductions thereof and specifications applicable thereto.

Amend paragraph VII of section 6 by striking out the following: (3) Length of ways .64 (4) Ensign staff .11 (5) Main mast (including jury staff) .335 (6) Fore mast (including jury staff) .291 (7) Mizzen mast (including jury staff) .16 (8) Inclination of ways from flag edge 70″ so that said paragraph as amended shall read as follows:

VII. The state flag, manufactured for sale to and display by citizens, for use on permanent flagpoles, shall be of the following proportions:

(1)	Hoist	1.00
(2)	Fly	1.90

When intended to be displayed by citizens by carrying, the state flag shall be of the following sizes:

Hoist	Fly
4′ 4″	5′ 6″
3′ 0″	4′ 0″

When intended for display on an automobile, the state flag shall be 1′ 6″ on the hoist and 2′ 2″ on the fly.

Amend paragraph XXV of said section 6 by striking out the words "masts of the ship" so that said paragraph as amended shall read as follows:

XXV. When the state flag is displayed from a staff projecting horizontally, or at an angle, from the window sill, balcony, or front of a building, the symbol on the flag should point away from the building.

Amend paragraph XXVI of said section 6 by striking out the words "masts of the ship" so that said paragraph as amended shall read as follows:

XXVI. When the state flag is displayed in an open area, it should be suspended vertically with the symbol pointing either to the north, or to the east. When thus displayed on the same support with the flag of the United States, the national color shall be the more northerly or easterly, as the case may be.

The question being on the amendment to the amendment.

(Discussion Ensued)

Mr. Mendenhall of Dunbarton spoke in favor of the amendment.

Messrs. Spaulding of Hudson and Black of Bennington spoke against the amendment.

Mr. Perry of Newport moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion Ensued)

Messrs. Perry of Newport, Baron of Claremont spoke in favor of the motion.

Messrs Youmans of Warner, Roeder of Belmont, Spaulding of Hudson, Chase of Dover, and Brown of Loudon spoke against the motion.

Mr. Hart of Laconia moved the previous question.

The question being.

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion did not prevail.

Mr. Thompson of Franklin demanded the yeas and nays and the roll was called with the following result.

Roll Call

Yeas — 115

MERRIMACK COUNTY: Holmes of Boscawen, Flanders, Otis, Lessels, Rainie of Concord, Maxham, Walker of Concord, Nawn, Sargent, Burke, Thompson of Franklin, Wilman, Powell.

HILLSBOROUGH COUNTY: Farwell, Poore, Adams of Greenfield, Fortin, Abbott, Lang of Manchester, Pillsbury, Robb, Horan, Ecker, Leclerc, Auger, O'Neil, Lesmerises, Peaslee of Merrimack, Deans, Falconer, Temple, Pappagianis, Ryan, Grandmaison, Bouthillier, Locke of New Boston, Thompson of New Ipswich, Barry.

CHESHIRE COUNTY: Maynard of Fitzwilliam, Kirk, Bennett, Faulkner, Waling, Blake, Kershaw, Lang of Troy, Killeen, Rhodes.

SULLIVAN COUNTY: Angus, Howe, Millar, Nahil, Baron, Stone, Wirkkala, Perry, Roe, Vaughan, Jordan.

GRAFTON COUNTY: Willey, Eggleston, Lorden, Fuller, Holden of Hanover, McMeekin, Jones, Victor of Lebanon, Carr, Loizeaux, Horner, Anderson, Woodward, Sawyer.

COOS COUNTY: Kimball of Jefferson, Simonds, Potter, Hilliard, Weeks of Stewartstown, Stinson.

ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Wastcoat, Eldredge, Weeks of Greenland, Merrill of Hampton, Eastman of Kensington, MacDonald, Wells, Carter, Barrett, Hundley, Foote, Yeaton Philbrick Haigh Noyes.

STRAFFORD COUNTY: Swain, Grimes, Nelson, Brown of Strafford.

BELKNAP COUNTY: McAllister, Gardner of Gilford, Hart, Morin, Simoneau, Tilton of Laconia, Burbank, O'Shan, Varrell, Smith of Meredith, Matthews.

CARROLL COUNTY: Benson, Mudgett, Kimball of Moultonborough, Nickerson, Hodgdon.

Nays — 187

MERRIMACK COUNTY: Hyde, Moore, Vogel, Marden, Dodge, Ferrin, Hayes, Corbett, Jewett, Saltmarsh, Bunten, Cilley, Mendenhall, Nutter, Broadhurst, Douphinette, Leonard, Patenaude, Dudevoir, Mulaire, Davis of Hopkinton, Brown of Loudon, Ferguson, Youmans.

HILLSBOROUGH COUNTY: Holmes of Amherst, Robinson, Wiggin, Black, Hambleton, Jennings, Reed of Goffstown, English, Hadley, Goodwin of Hollis, Spaulding, Reid of Litchfield, Warren, Corliss, Danforth, Geisel, Martel, Sullivan, Fitzgerald, Kean, Nolan, Betley, Healy of Manchester, ward 5, Callahan, Clancy, Healy of Manchester, ward 6, Tessier, Attalla, Lareau, Soucy of Manchester, ward 12, Gauthier, Wadleigh, Colburn, Cooper, Ramsdell, Boire, Belcourt, Ayers, Brosnahan, Maynard of Nashua, Dionne, Shea of Nashua, Chartrain, Dugas, Dutilly, Dumais, Cummings, Dutton.

CHESHIRE COUNTY: Maloney, Clark of Harrisville, Smith of Hinsdale, Belletete, Spofford, Haley, Sweeney of Keene, Landers, Wheeler, Heald, Codding, Barton, Carlton, Sherwin, Billings, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Frizzell, Converse, Firestone, Marcotte of Claremont, Davis of Cornish, Smith of Langdon, Holden of Newport, Metcalf of Springfield, DeLude.

GRAFTON COUNTY: Gingras, Chamberlin of Bath, Whittier, Plumer, Peabody, Williams, Hayward, Adams of Lebanon, Ashley, Jones, Fred of Lebanon, Perley, Fox, Gardner of Littleton, Longchamps, Martin, Dixon, Howard, Bell of Plymouth, Barney.

COOS COUNTY: Dussault, Hinchey, Henderson, Brungot, Christiansen, Fontaine, Theriault, Alls, Oakes, Emerson, Robinson, Ross, Swett, Boutain, Hayes.

ROCKINGHAM COUNTY: Brock, Clark of Derry, Hepworth, Ladd, Eastman of Exeter, Rathbone, Richards, Jones of Fremont, Spollett, Thurlow, Parmenter, McCaffrey, Holden of Newington, Labranche, Sewall, Pinkham, Seel, Payette, Sadler, Murch, Leary, Wardwell, Smart, Ingraham, Mafera, Scamman.

STRAFFORD COUNTY: Chase, Leighton, Fellows, Webb, Connell, Crandall, Locke of Dover, Flanagan, Funkhouser,

Littlehale, Stearns, Wormhood, Rolfe, Maxfield, Lacasse, St. Pierre, Studley, Malley.

BELKNAP COUNTY: Roeder, Nichols, Brown of Laconia, Kipp, Atwood, Metcalf of Tilton.

CARROLL COUNTY: Washburn, Downs, Morey, Gale, Hodge.

And the motion to indefinitely postpone did not prevail.

The question being on the amendment to the amendment.

On a *viva voce* vote the amendment to the amendment was not adopted.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Spaulding of Hudson moved that the bill be put upon its third reading and final passage, by title only, at the present time, but subsequently withdrew his motion.

Mr. Keenan of Dover for the Special Committee consisting of the delegation from the city of Dover to whom was referred House Bill No. 177, An Act to revise and clarify the charter of the city of Dover. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 1 and inserting in place thereof the following: 1. *Revision of Present Charter.* The provisions of sections 1 to 35, inclusive, of this act are to amend, clarify and revise the present charter of the city of Dover and all sections amended and referred to in section 1 to 34 of this act shall mean the sections of said charter being chapter 430 of the Laws of 1949 entitled "An act relative to the charter of the city of Dover" unless otherwise specifically designated.

Further amend said bill by striking out section 2 and inserting in place thereof the following: 2. *Change of Date.* Section 5 of said charter is amended by striking out the words "January fourth" in the second sentence and inserting in place thereof the words, first Wednesday in January; further amend by inserting after the word "qualified" the words, A tie vote for any elective office shall be resolved by lot in such manner as the city council may determine, so that said section as amended shall read: 5. *Term and Number of Members.*

Except as otherwise provided in this charter all the powers of the city shall be vested in a council which shall consist of one councilman from each ward who shall be elected by such ward and four councilmen at large. Members shall be elected for a term of two years, shall take office on the first Wednesday in January next after their election and shall hold office until their successors are duly elected and qualified. A tie vote for any elective office shall be resolved by lot in such manner as the city council may determine. The city clerk shall act as the clerk of the council.

Amend said bill by striking out section 7 and renumbering the ensuing sections in their numerical sequence.

Amend section 8 of the bill by striking out the words "assistant hospital director" in the eighth line so that said section as amended shall read as follows: 8. *Officers.* Section 16 is amended by striking out all of said section and inserting in place thereof the following: 16. *Appointive Powers.* For the purposes of this act the persons elected under this charter, or appointed to the offices designated by sections 18, 28, 35, 45 and 60 hereof for a specified term, the chief of police and deputy chief of police appointed by the police commission, the hospital director, superintendent of cemeteries and librarian appointed by the respective boards of trustees are designated as officers of the city. Any other boards or heads of departments not provided for in this act and established by ordinance are designated as officers of the city. All other persons appointed to the service of the city shall be for an indefinite term and are designated as employees of the city, provided that appointments may be made for a provisional, temporary or emergency service not to exceed the maximum limits which may be prescribed by the merit plan ordinance, and provided further that the provisions of this section do not refer to the administration of the school committee or municipal court of the city. The mayor, subject to the approval of the council, shall have power to remove all officers whom he is authorized by this charter to appoint, except hospital trustees which are otherwise provided for in section 28. The council may remove any officer appointed by the mayor for cause, after a public hearing, by a vote of six members of the council, public notice of said heading to be given at least seven days in advance thereof. The mayor shall have power to appoint and remove employees in the administrative service

of the city, subject to the provisions of this charter and the merit plan, who are not subject to the authority of the police commission or the boards of trustees by this charter established, and he may authorize and empower the head of a department or officer responsible to him to appoint and remove subordinates in such department or office.

Amend section 10 of the bill by inserting after the word "including" in the fifth line the words, a city clerk; further amend by inserting after the word "welfare" in the ninth line the words, a health officer, so that said section as amended shall read as follows: 10. *Powers of Mayor.* Section 18 is amended by striking out all of said section and inserting in place thereof the following: 18. *Appointive Offices.* The mayor, subject to confirmation by a majority of the city council, shall appoint the heads of departments and officers responsible to him, including a city clerk, a treasurer, a director of public works, a superintendent of water works, a board of three assessors not more than two of whom shall be of the same political party, a fire chief, a city solicitor, a tax collector, a director of public welfare, a health officer, and such other officers as may be necessary to administer all departments which the council shall establish. The powers and duties of these officers and heads of departments appointed by the mayor shall be those prescribed by state law, by this charter or by ordinance. The terms of the officers provided for by this section and now holding office shall expire on the first Wednesday in January, 1954, and their successors shall be appointed for a term of two years from the first Wednesday in January in the even numbered years, except that one assessor shall be appointed for one year from the first Wednesday in January, 1954, one for two years, and one for three years, and their successors respectively for terms of three years. Any vacancy in these offices shall be filled in the same manner for the unexpired term and it is provided that any office whose term has expired shall continue to serve until his successor is chosen and qualified.

Amend section 12 by striking out said section and inserting in place thereoft he following: 12. *Administrative Code.* Section 20 is amended by striking out said section and inserting in place thereof the following: 20. *Purchasing Procedure.* The administrative code shall establish a centralized purchasing and contract system, including the combination purchasing of similar articles for different departments, and purchasing

by competitive bids. The mayor shall be charged with the administration of the system so established. Purchases in excess of one hundred dollars shall be by sealed competitive bids, to be publicly opened at the approved time of the closing of bids, provided that the mayor may give written permission for a specific purchase without bids to an amount not exceeding two hundred dollars. Requirement for bids may be waived in specific instances by a two-thirds vote of the council, except in cases where an officer or an employee of the city, or a firm of which such person is a member or employee, is directly or indirectly interested in selling goods or services to the city in which case bids shall be required. Any contract in excess of $2,500.00 shall require the approval of a majority vote of the council.

Amend said bill by striking out section 13 and inserting in place thereof the following: 13. *School Affairs.* Amend section 21 by striking out said section and inserting in place thereof the following: 21. *School Committee.* The terms of office of the members of the school committee serving under the provisions of chapter 430 of the laws of 1949 at the time of the passage of this act are hereby continued and confirmed. At the biennial municipal election to be held in accordance with the provisions of this charter in 1953 one school committee member shall be elected from each ward of said city for a term of two years from the first Wednesday in January, 1954, to serve with those continuing in office until the first Wednesday in January, 1956. From and after the first Wednesday in January, 1956, the school committee for said city shall consist of seven elective members together with the mayor who shall, ex officio, be a member thereof, but who shall have a right to cast a vote only in case of a tie in any vote, resolution or other question before said committee. At the biennial municipal election in 1955 and each biennial municipal election thereafter one school committee member shall be elected from each ward, and two at large, for two years from the first Wednesday in January following said election. All members holding office at the time of the passage of this act or to be elected under the provisions of this section shall continue to serve until their successors are elected and qualified. Provided, however, that no political party caucus, primary or convention shall nominate any candidate for said school committee, and the names for candidates for school committee shall appear

on the ballots without any political designation whatsoever; and provided further, that the ballot for school committee shall contain the names only of such residents of Dover as shall have filed with the city clerk, not less than twenty days before the date of the biennial municipal election a written notice of intention to be a candidate at such election. Vacancies occurring in said school committee from any cause shall be filled by majority vote of the school committee for the unexpired term. No person shall be a candidate for office who is not a resident of the ward from which he is a candidate.

Amend section 17 by striking out the words "assistant hospital director" in the fourth and the twentieth and twenty-first lines, so that said section as amended shall read as follows: 17. *Wentworth Hospital.* Section 29 is amended by striking out all of the second sentence after the words "the purpose of this act" and inserting in place thereof the words, may appoint a hospital director, and such employees as they shall deem expedient and fix their compensation, and may remove said officers and employees and make necessary rules and regulations for their own government and for the control and management of all property, real or personal, connected with said hospital, not inconsistent with the merit plan ordinance adopted by the city council, so that said section as amended shall real as follows: 29. *Organization; Powers.* In the month of January, annually, said board shall organize and choose one of its members as chairman and shall choose a clerk who may be one of said trustees; said board may choose a treasurer, who shall file with said board such bond and receive such salary as said trustees shall determine. Said board of hospital trustees may purchase such land as may be necessary and shall have full charge, management and control of the erection, equipment and management of such building or buildings as may be necessary to carry into effect the purposes of this act; may appoint a hospital director, and such employees as they shall deem expedient and fix their compensation, and may remove said officers and employees and make necessary rules and regulations for their own government and for the control and management of all property, real or personal, connected with said hospital, not inconsistent with the merit plan ordinance adopted by the city council.

Amend section 23 by inserting after the word "fifteenth" in the third line the words, further amend by adding at the

end of said section the words, and not earlier than seven days after the budget hearing, so that said section as amended shall read as follows: 23. *Change of Date.* Section 38 is amended by striking out the word "first" before the word "day" in the second sentence and inserting in place thereof the word fifteenth, further amend by adding at the end of said section the words, and not earlier than seven days after the budget hearing, so that said section as amended shall read as follows: 38. *Adoption of Budget.* The council may reduce any item or items in the mayor's budget by a vote of a majority of the council, but an increase in or addition of an item or items therein shall become effective only upon an affirmative vote of two-thirds of the members of the council. The budget shall be finally adopted not later than the fifteenth day of the third month of the fiscal year and not earlier than seven days after the budget hearing.

Amend section 26 by striking out said section and inserting in place thereof the following: 26. *Limitation on Action by Council.* Amend section 43 by adding at the end thereof the words, and final action on such borrowing shall not be taken by the council until at least three days after said hearing, so that said section as amended shall read as follows: 43. *Borrowing Procedure.* Subject to the applicable provisions of state law and the rules and regulations provided by ordinance in the administrative code, the council, by resolution, may authorize the borrowing of money for any purpose within the scope of the powers vested in the city and the issuance of bonds of the city or other evidence of indebtedness therefor, and may pledge the full faith, credit and resources of the city for the payment of the obligation created thereby. Borrowing for a term exceeding one year shall be authorized by the council only after a duly advertised public hearing and final action on such borrowing shall not be taken by the council until at least three days after said hearing.

Amend section 27 by inserting after the word" council" in the seventh line the words, within six months, so that said section as amended shall read as follows: 27. *Personnel Administration.* Section 44 is amended by striking out the same and inserting in place thereof the following: 44. *Merit Plan.* Appointments and promotions to all employee positions in the service of the city shall be made solely on the basis of merit and only after examination of the applicant's fitness. The

first mayor shall draft and submit to the council within six months an ordinance providing for the establishment of a merit system or personnel administration for employees, except secretaries to the mayor. Such ordinance shall include provisions with regard to the classification, compensation, selection, training, promotion, discipline, vacations, retirement and other matters necessary to the maintenance of efficient service and the improvement of working conditions of such personnel. With reasonable dispatch thereafter the council shall enact, amend or revise the ordinance so submitted, but in any event the council shall enact a merit plan which embodies the provisions herein required, with due regard to the administrative authority vested in the police commission and the boards of trustees by this charter established. It shall be the duty of the mayor, the police commission and the boards of trustees to administer the merit plan so enacted with regard to the employees within their respective controls. The mayor may submit revisions of the merit plan to the council from time to time as changes in conditions in the city service justify, or the council plan in the same manner as any ordinance.

Amend section 29 by striking out said section and inserting in place thereof the following: 29. *Special Assessments.* Amend section 47 by striking out said section and inserting in place thereof the following: 47. *Council Resolution.* The council shall have power to determine that the whole or any part of the expense of any public improvement shall be defrayed by special assessments upon the property especially benefited and shall so declare by resolution. Such resolution shall state the estimated cost of the improvement, what proportion of the cost thereof shall be paid by special assessments, and what part, if any, shall be a general obligation of the city, the number of installments in which assessments may be paid, and shall designate the districts or land and premises upon which special assessments shall be levied. Whenever such resolution involves an expenditure of more than one thousand dollars it shall be adopted only after a duly advertised public hearing and final action shall not be taken by the council until at least seven days after said hearing.

The council shall prescribe by general ordinance complete special assessment procedure concerning plans and specifications, estimate of costs, notice and hearing, the making of the special assessment roll and correction of errors, the collection

of special assessments, and any other matters concerning the making of improvements by the special assessment method.

Upon the receipt of a request or petition for construction of any buildings, roads, streets, sidewalks, sewers, water or other facilities and utilities in the city of Dover, for which the petitioner would be responsible for assuming and paying any part of the costs thereof, if the estimated cost of furnishing materials and providing labor for same shall exceed the sum of one thousand dollars, competitive public bid shall be required for such project. If the city of Dover is desirous of furnishing the materials and providing the labor for such project, the city, subject to the same terms, conditions and provisions as are applicable to other bidders, may submit bids on same.

Further amend said bill by striking out all after section 33 thereof and inserting in place thereof the following: 34. *New Charter.* If the present charter of the city of Dover, chapter 430, Laws of 1949, including but not limited to all or any part of the amendments effected by the preceding sections, is rescinded by a referendum, as hereinafter provided in section , upon the effective date of such referendum, the city of Dover shall be governed by the provisions of the following new charter and all elections in said city shall be held in accordance therewith:

City Established.

1. *Incorporation.* The inhabitants of the city of Dover shall continue to be a body politic and corporate under the name of the "City of Dover," and as such to enjoy all the rights, immunities, powers, and privileges and be subject to all the duties and liabilities now appertaining to or incumbent upon them as a municipal corporation. All existing property of the city shall remain vested in it, and all its existing debts and obligations shall remain obligatory upon it, under this revised charter.

2. *Wards.* The city shall continue to be divided into five wards as at present constituted, and except as herein otherwise provided the general laws relative to wards of cities, officers thereof, and voters, check-lists, elections, and jurors, therein shall be applicable to such wards.

Elections.

3. *Conduct of Elections.* The election officers in each

ward whose duty it is to conduct regular biennial elections shall conduct a municipal election at the expense of the city in the same manner as a regular biennial election on the Tuesday following the first Monday in November of the odd numbered years, to choose one councilman from each ward, four councilmen-at-large, and to fill such vacancies on the school committee as may arise as defined in section 16 of this charter. The supervisor of the check-list in each ward shall fix the polling place theerin and give notice thereof when the check-list for the municipal election is first posted.

4. *Qualification of Voters.* Persons who would be qualified to vote in a biennial election if held on the day of such municipal election shall be the qualified voters therein. Municipal elections hereunder shall be deemed elections within the meaning of all general statutes, penal and otherwise, and said statutes shall apply to municipal elections so far as consistent with this charter. The polls shall be open at each municipal election from eight o'clock in the forenoon to six o'clock in the evening in each ward.

5. *Preparation of Ballots.* The city clerk shall prepare the ballots to be used at the municipal elections in form as nearly like the ones used in biennial elections as the requirements of this charter permit. The ballot shall contain in appropriate sections the names in alphabetical order, without party designation, of all who file in writing with the city clerk as candidates for the office of ward councilman, councilman-at-large, and member of the school committee, not later than five o'clock in the afternoon of the fifteenth day before the election. Candidates for councilman shall pay the city clerk a fee of three dollars except those in whose behalf a petition shall have been filed, signed by at least fifty qualified voters. No name shall be printed on the ballot by reason of such a petition unless consent thereto shall be endorsed on the petition or otherwise filed in writing in the office of the city clerk by the candidate himself not later than ten days before the election. Below the list of names of the candidates there shall be as many blank spaces as there are councilmen and school committee members to be elected. The city clerk shall have the same powers and duties with referenec to municipal elections as has the secretary of state with reference to general biennial elections so far as such powers and duties are not inconsistent therewith.

6. *Contested Elections.* Within seven days after a municipal election the council shall canvass the votes cast and the candidates receiving the highest number of votes for the offices to be filled shall be declared elected. Within seven days thereafter the council shall, subject to such rules and regulations as it may prescribe, upon written request of any candidate, recount the ballots cast in the election and hear and determine any contest on the ground of fraud or misconduct therein. Decisions of the council in cases of contested elections shall be final. Tie votes for any elective office shall be resolved by lot in such manner as the council may determine. In cases arising under this section the council shall have the power to subpoena witnesses and compel the production of all pertinent books, records, and papers.

The Governing Body.

7. *Term and Number of Members.* Except as otherwise provided in this charter all of the powers of the city shall be vested in a non-partisan council of nine councilmen to be elected as defined in sections 3 and 5 of this charter. Members shall be elected for a term of two years, shall take office on the first day of January, next after their election, and shall hold office until their successors are duly elected and qualified. The city clerk shall act as the clerk of the council.

8. *Organization of Council.* The councilmen so chosen shall meet at two o'clock in the afternoon of the first day of January next following their election, in their capacity as the city council, for the purpose of taking their respective oaths of office, for the purpose of organizing, adopting rules, and for the transaction of business required by law or ordinance to be transacted at such meeting.

9. *Mayor.* The council shall, at its first regular meeting in January following each election, choose one of its members mayor for a term of two years. The council shall choose one of its members mayor pro tem, who shall act in the absence or disability of the mayor. In the event of a vacancy occurring in the office of mayor, the council shall choose one of its members mayor at the next regular meeting to serve for the unexpired term. The mayor shall be the official head of the city for all ceremonial purposes, he shall preside at all meetings of the council and may speak and vote in such meeting. All

other duties of the mayor prescribed by law shall be exercised by the manager provided for in this charter.

10. *Qualifications.* No person shall be a candidate for election as councilman or school committee member who is not a duly qualified voter in the city and who has not been a resident of the city for at least two years immediately proceding his election. No councilman or school committee member shall, during his term, be eligible to hold any other municipal office except mayor or mayor pro tem.

11. *Vacancies.* Vacancies occurring in the office of councilman at any time after the election of a candidate or candidates thereto shall be filled by the election of some qualified person who receives the votes of at least five members of the council by the second regular meeting following the creation of the vacancy. Vacancies in the office of ward councilman shall be filled from the same ward as the prior incumbent.

12. *Compensation.* Councilmen shall receive ten dollars for each council meeting upon attendance not to exceed in the aggregate two hundred dollars per year in full for their services.

13. *Meetings.* All meetings of the council shall be public. Regular meetings shall be held on such day of each month at such time as the council shall, from time to time, by ordinance or resolution direct, and special meetings upon notice delivered to each councilman by the city clerk at the written request of the manager or at least five councilmen. The council shall establish its own rules and a majority shall constitute a quorum for the transaction of the business of the council. Newly elected members of the council shall assume office at the regular January meeting in each even numbered year.

14. *Ordinances.* Municipal legislation shall be by ordinance. Each ordinance shall be identified by a number and a short title. The enacting clause of each ordinance shall be "The city of Dover ordains" and the effective date of each ordinance shall be specified in it. All ordinances shall be recorded in full, uniformly and permanently by the city clerk and each ordinance so recorded shall be authenticated by the signature of the mayor and the city clerk. Ordinances shall be published, compiled, and revised in such a manner and at such time as the council shall determine, but not less often than every ten years.

15. *General Powers.* Except as herein otherwise provided, the council hereby established shall have all the powers and discharge all the duties conferred or imposed upon city councils in convention, city councils voting concurrently or boards of mayor and aldermen acting separately, by chapters 62 to 66 of the Revised Laws or other general laws now in force or hereafter enacted or upon the existing city councils or board of mayor and aldermen of the city of Dover by special laws not hereby repealed. The council shall have the powers of selectmen of towns so far as consistent with this charter. All provisions of such laws pertaining to the powers or duties of any or all such bodies shall be construed to apply to the council hereby established unless a contrary intent or provision herein appears, it being the purpose of this act to confer upon said council all functions of either or both branches of the existing city councils, except such as are specifically transferred to the manager. All committees of the council and all boards shall be deemed advisory and policy making only except as herein otherwise provided.

16. *School Affairs.* The terms of office of the members of the school committee serving under the provisions of chapter 430 of the laws of 1949 at the time of the passage of this act are hereby continued and confirmed. At the biennial municipal election to be held in accordance with the provisions of this charter in 1953 one school committee member shall be elected from each ward of said city for a term of two years from the first Wednesday in January, 1954, to serve with those continuing in office until the first Wednesday in January, 1956. From and after the first Wednesday in January, 1956, the school committee for said city shall consist of seven elective members together with the mayor who shall, ex officio, be a member thereof, but who shall have a right to cast a vote only in case of a tie in any vote, resolution or other question before said committee. At the biennial municipal election in 1955 and each biennial municipal election thereafter one school committee member shall be elected from each ward, and two at large, for two years from the first Wednesday in January following said election. All members holding office at the time of the passage of this act or to be elected under the provisions of this section shall continue to serve until their successors are elected and qualified. Provided, however, that no political party caucus, primary or convention shall nominate any can-

didate for said school committee, and the names for candidates for school committee shall appear on the ballots without any political designation whatsoever; and provided further, that the ballot for school committee shall contain the names only of such residents of Dover as shall have filed with the city clerk, not less than twenty days before the date of the biennial municipal election a written notice of intention to be a candidate at such election. Vacancies occuring in said school committee from any cause shall be filled by majority vote of the school committee for the unexpired term. No person shall be a candidate for office who is not a resident of the ward from which he is a candidate.

17. *School Committee Organization.* The members of school committee continuing in office and those newly elected as provided in section 16 shall meet at eight o'clock in the evening of the first day of January in the even numbered years for the purpose of newly elected members taking their oaths, organizing for the ensuing two years, and adopting rules for the transaction of business. The school committee shall elect by ballot from their own number a chairman and a secretary; the compensation of such secretary shall be fixed by the school committee. The treasurer of the city of Dover shall be treasurer of the school committee of said city, and all checks authorized by said school committee shall be issued by the treasurer upon warrant certified by said school committee and countersigned by such member of said school committee as may be officially designated.

Administrative Service.

18. *Manager.* The chief administrative officer of the city shall be called a manager. The council shall appoint as manager for an indefinite term, subject to removal as provided in section 20, a person especially qualified by experience and training who receives the votes of at least six members of the council, and shall fixe the manager's salary. The first council elected under this charter shall appoint a manager within three months after the effective date of this charter. The council may appoint an acting manager to serve for not more than ninety days until the appointment of a manager.

19. *Qualificaions.* The manager shall be chosen solely on the basis of his executive and administrative qualifications, but he need not be a resident of the city or the state at the

time of his appointment. No person who has within three years been elected by popular vote to any office in the city of Dover shall be chosen manager.

20. *Removal.* The manager may be removed by a majority vote of the members of the council as herein provided. At least thirty days before the proposed removal of the manager, the council shall adopt a resolution stating its intention to remove him and the reasons therefor, a copy of which shall be served forthwith on the manager, who may, within ten days, demand a public hearing in which event the manager shall not be removed until such public hearing has been held. Upon or after passage of such a resolution, the council may suspend him from duty, but his pay shall continue until removal. In case of such a suspension the council may appoint an acting manager to serve at the pleasure of the council for not more than ninety days. The action of the council in removing the manager shall be final.

21. *General Powers and Duties of Manager.* The manager shall supervise the administrative affairs of the city and shall carry out the policies enacted by the council. He shall be charged with the preservation of the public peace and health and the safety of persons and property, and shall see to the enforcement of the ordinances of the city, this charter, and the laws of the state. He shall keep the council informed of the condition and needs of the city and shall make such reports and recommendations as he may deem advisable, and perform such other duties as may be prescribed by this charter, or required of him by ordinance or resolution of the council, not inconsistent with this charter. He shall have and perform such other powers and duties not inconsistent with the provisions of this charter as now are or hereafter may be conferred or imposed upon him by municipal ordinance or upon mayors of cities by general law. He shall have the right to take part in the discussion of all matters coming before the council, but not the right to vote.

22. *Appointive Power of Manager.* The manager shall have the power to appoint and remove, subject to the provisions of this charter, all officers and employees in the administrative service of the city; but the manager may authorize the head of a department or office responsible to him to appoint and remove subordinates in such department or office. All such appointments shall be without definite term unless

for provisional, temporary, or emergency service not to exceed the maximum periods which may be prescribed by the rules and regulations of the merit plan.

23. *Non-interference by the Council.* Neither the council nor any of its members shall direct or request the appointment of any person to office or employment, or his removal therefrom, by the manager or any of the administrative officers. Neither the council, nor any member thereof, shall give orders to, nor interfere with, the performance of the duties of any of the administrative officers or employees either publicly or privately. Any violation of the provisions of this section by a councilman shall be a misdemeanor, conviction of which shall constitute immediate forfeiture of his office.

24. *Appointive Officers.* There shall be appointed by the manager, persons especially qualified by experience and training as assessors, city clerk, treasurer, police chief, fire chief, and such other officers as are necessary to administer all departments which the council shall establish, which departments shall replace all existing departments, boards, and commissions. The power and duties of these officers and head of departments so appointed shall be those prescribed by state law, by this charter, or by ordinance.

25. *Administrative Departments.* The first manager under this charter shall draft and submit to the council within six months after assuming office an ordinance dividing the administrative service of the city into departments, divisions, and bureaus and defining the functions and duties of each. After the adoption of an ordinance or ordinances on the foregoing subject, the council by ordinance may create, consolidate, or abolish departments, divisions, and bureaus of the city and define or alter their functions and duties. Such ordinances shall be known as the "Administrative Code." Each officer shall have supervision and control of his department and the employees therein and shall have the power to prescribe rules and regulations, not inconsistent with general law, this charter, the administrative code, and the rules and regulations of the merit plan. Pending passage of such code the manager may establish temporary regulations.

26. *Purchasing Procedure.* The administrative code shall establish purchasing and contract procedure including the assignment of all responsibility for purchases to one or more persons, and the combination purchasing of similar articles

by different departments. Purchases in excess of one hundred dollars shall be by sealed, competitive bids to be publicly opened at the announced time for the closing of bids. Requirement for bids may be waived in specific instances by a two-thirds vote of the council, except in cases where an elective or appointive officer or employee of the city of any firm of which such person is a member or employee is directly or indirectly interested in selling goods or services to the city, in which cases competitive bids shall be required. Any contract or purchase in excess of $2,500, shall require the approval of a majority vote of the council.

27. *Fiscal Year.* The fiscal and budget year of the city shall be the calendar year.

28. *Financial Control.* The manager shall appoint an officer other than the treasurer who shall maintain accounting control over the finances of the city, make financial reports, and perform such other duties as may be required by the administrative code. He shall audit and approve all authorized claims against the city before paying the same.

29. *Budget Procedure.* At such time as may be requested by the manager or specified by the administrative code, each officer or director of a department shall submit an itemized estimate of the expenditures for the next fiscal year for the departments or activities under his control. The manager shall submit the proposed budget to the council at least one month before the start of the fiscal year of the budget, except in the case of the first year of operation under this charter when the proposed budget shall be submitted to the council not later than February 15th.

30. *Budget Hearing.* A public hearing on the budget shall be held before its final adoption by the council, at such time and place as the council shall direct, and notice of such public hearing, together with a copy of the budget as submitted, shall be posted in two public places, and published once, at least one week in advance by the city clerk. The proposed budget shall not be acted upon by the council until at least seven days after the public budget hearing.

31. *Date of Presentation and Adoption.* Not later than the twenty-seventh day of the first month of the fiscal year the budget shall be presented to the council for action, and if such budget is not acted upon by the council within thirty days after such presentation, it shall automatically become effective,

except in the case of the first year of operation under this charter when the budget shall be presented to the council for action no later than the twenty-seventh day of the second month of the fiscal year.

32. *Appropriations After Budget is Adopted.* No appropriation shall be made for any purpose not included in the annual budget as adopted unless voted by a two-thirds majority of the council after a public hearing held to discuss said appropriation. The council shall by resolution designate the source of any money so appropriated.

33. *Budget Control.* At the beginning of each quarterly period during the fiscal year and more often if required by the council, the manager shall submit to the council data showing the relation between the estimated and actual income and expenses to date, together with outstanding indebtedness and estimated future expenses; and if it shall appear that the income is less than anticipated, the council or manager may reduce the appropriation for any item or items, except amounts required for debt and interest charges, to such a degree as may be necessary to keep expenditures within the cash income. The manager may provide for monthly or quarterly allotments of appropirations to departments, funds or agencies under such rules as he shall prescribe.

34. *Transfer of Appropriations.* After the budget has been adopted, no money shall be drawn from the treasury of the city, nor shall any obligation for the expenditure of money be incurred, except pursuant to a budget appropriation unless there shall be a specific additional appropriation therefor. The head of any department, with the approval of the manager may transfer any unencumbered balance or any portion thereof from one fund or agency within his department to another fund or agency within his department. The manager, with the approval of the council, may transfer any unencumbered appropriation balance or any portion thereof from one department to another.

35. *Depository.* The council shall designate the depository or depositaries for city funds, and shall provide for the daily deposit of all city moneys. The council may provide for such security for city deposits as it may deem necessary except that personal surety bonds shall not be deemed proper security.

36. *Independent Audit.* An independent audit shall be made of all accounts of the city government at least annually

and more frequently if deemed necessary by the council. Such audit shall be made by certified public accountants, experienced in municipal accounting, or by the state tax commission or its representatives. An abstract of the result of such audit shall be made public. At least once every five years the council shall request that such audit be made by the state tax commission or by auditors selected by said commission if then authorized by law to make such audit. An annual report of the city's business for the preceding year shall be made available not later than June 30th.

37. *Offical Bonds.* Any city officer elected or appointed by authority of this charter may be required by the manager to give a bond to be approved by the city solicitor for the faithful performance of the duties of his office, but the manager and all officers receiving or disbursing city funds shall be so bonded. All official bonds shall be corporate surety bonds, and the premiums thereon shall be paid by the city. Such bonds shal be filed with the city clerk.

38. *Borrowing Procedure.* Subject to the applicable provisions of state law and the rules and regulations provided by ordinance in the administrative code, the council, by resolution, may authorize the borrowing of money for any purpose within the scope of the powers vested in the city and the issuance of bonds of the city or other evidence of indebtedness therefor, and may pledge the full faith, credit and resources of the city for the payment of the obligation created thereby. Borrowing for a term exceeding one year shall be authorized by the council only after duly advertised public hearing, but final action shall be deferred until at least three days after said hearing.

VI. Merit Plan.

39. *Appointments.* Appointments and promotions to all positions in the service of the city shall be made solely on the basis of merit and only after examination of the applicant's fitness. So far as practicable examinations shall be competitive.

40. *Rules and Regulations.* The first manager under this charter shall draft and submit to the council within three months after assuming office a set of rules and regulations, which shall become effective one month after its submission unless vetoed by the council within that period, providing for the establishment of a merit system or personnel administration and the implementation of such portions of that system as

are prescribed by this charter. The rules and regulations may be amended during said month by the council. The rules and regulations shall include provisions with regard to classification, compensation, selection, training, promotion, discipline, vacations, retirement and any other matters necessary to the maintenance of efficient service and the improvement of working conditions. The rules and regulations shall continue in force, subject to amendments submitted from time to time by the manager, which shall become effective one month after the submission, unless vetoed by the council within that period. Until the first set of such rules and regulations become effective, the manager may establish temporary rules and regulations.

41. *Compensation.* The compensation of all officers and employees not fixed by this charter shall be fixed in the rules and regulations of the merit plan by a schedule of pay which shall include a minimum and maximum and such intermediate rates as may be deemed desirable for each class of position provided for in said rules and regulations. In increasing or decreasing items in the city budget, the council shall not increase or decrease any individual salary item but shall act solely with respect to total salaries in the various departments of the city.

42. *Personnel Advisory Board.* There is hereby established a personnel advisory board of three citizens holding no other political office and appointed one member by the manager, one by the council, and the third by these two appointees. In the first instance only the member appointed by the manager shall serve for one year, the member appointed by the council for two years, and the third member for three years, in each case beginning on the date of appointment; the terms of all succeeding members shall be for three years beginning on the expiration of the term each succeeds. It shall be the duty of the personnel advisory board to study the broad problems of personnel policy and administration, to advise the council concerning the personnel policies of the city and the manager regarding administration of the merit plan and retirement system, and to hear appeals from any employee aggrieved as to the status or condition of his employment or retirement. The board shall issue written reports containing findings of facts and recommendations to the manager upon such appeals, but the board shall have no power to reinstate

an employee unless it finds, after investigation, that disciplinary action was taken against the employee for religious, racial, or political reasons.

43. *Certification of Compensation.* No compensation shall be paid without certification by the manager, or such officer as he may direct, that the recipients are employed by the city and that their rates of compensation comply with pay schedules provided for in section 41. If such officer approves payments not in conformity therewith, he and his surety shall be liable for the amount of such payments. A taxpayer or resident may maintain a civil action to restrain payment of compensation to persons unlawfully appointed or employed or to recover for the city any sums paid contrary to the provisions of this charter.

44. *Employees When Charter Adopted.* No employee of the city at the time this charter is adopted shall be required to take any examination in order to continue within the employment of the city. All other provisions of the merit plan will apply to such employees. All officers and employees of the city holding office at the time this charter takes effect, except those whose position or office has been abolished hereby, shall continue to hold office until their respective successors shall be elected or appointed, as the case may be, and qualified.

45. *Retirement.* The rules and regulations of the merit plan may establish a system for the retirement of any city employee who shall have attained an age or condition of health which warrants retirement from further service. Any such plan shall provide payments to retired employees only as additional compensation for services rendered after the inauguration of such a plan and before retirement.

Special Assessments.

46. *Council Resolution.* The council shall have the power to determine that the whole or any part of the expense of any public improvement shall be defrayed by special assessments upon the property especially benefited and shall so declare by resolution. Such resolution shall state the estimated cost of the improvement, what proportion of the cost thereof shall be paid by special assessments, and what part, if any, shall be a general obligation of the city, the number of installments in which special assessments may be paid, and shall designate the districts or land and premises upon which special assess-

ment shall be levied. If expenditures are to exceed $1,000, a public hearing shall be held, action to be taken by the council not earlier than seven days after said hearing.

47. *Procedure Fixed by Ordinance.* The council shall prescribe by general ordinance complete special assessment procedure concerning plans and specifications, existimate of costs, notice and hearing, the making of the special assessment roll and correction of errors, the collection of special assessments, and any other matters concerning the making of improvements by the special assessment method.

48. *Competitive Bids on Certain Projects.* Upon the receipt of a request or petition for construction of any buildings, roads, streets, sidewalks, sewers, water or other facilities and utilities in the city of Dover, for which the petitioner would be responsible for assuming and paying any part of the costs thereof, if the estimated cost of furnishing materials and/-or providing labor for same shall exceed the sum of one thousand dollars, competitive public bid shall be required for such project, if the city of Dover is desirous of furnishing the materials and/or providing the labor for such project, the city, subject to the same terms, conditions and provisions as are applicable to other bidders, may submit bids on same.

Miscellaneous Provisions.

49. *Oath of Office.* Every person elected or appointed to any city office before entering upon the duties of his office shall take and subscribe to an oath of office as provided by law which shall be filed and kept in the office of the city clerk.

50. *Notice of Election or Appointment.* Written notice of election or appointment of any city officer shall be mailed to him at his address by the city clerk within forty-eight hours after the appointment is made or the vote canvassed. If within ten days from the date of the notice such officer shall not take, subscribe to, and file with the city clerk an oath of office, such neglect shall be deemed a refusal to serve, and the office shall thereupon be deemed vacant, unless the council shall extend the time in which such officer may qualify.

51. *Vacancy Defined.* In addition to other provisions of this charter, a vacancy shall be deemed to exist in any office when an officer dies, resigns, is removed from office, is convicted of a felony, is physically incapacitated, or is judicially declared to be mentally incompetent.

52. *Official Interest in Contracts.* No elective or appointive officer or employee of the city shall take part in a decision concerning the business of the city in which he has a financial interest, aside from his salary as such office or employee, direct or indirect, greater than any other citizen or taxpayer.

53. *Private Use of Public Property.* No officer or employee shall devote any city property or labor to private use except as may be provided by law or ordinance.

54. *Liability for Discharge.* The removal in accordance with this charter, with or without cause, of a person elected or appointed or otherwise chosen for a fixed term shall give no right of action for breach of contract or otherwise.

55. *Notice of Claim.* No action at law or bill in equity shall be sustained against the city unless a written notice setting forth the nature and amount, if any, of the claim, shall have been delivered or sent by registered mail to the office of the city clerk not less than sixty days prior to the commencement of said action at law or bill in equity.

56. *Municipal Court.* The municipal court of the city as at present constituted is hereby continued.

57. *Violations.* All violations of provisions of this charter unless otherwise provided are hereby declared to be misdemeanors and all such violations and all violations of city ordinances for which no other punishment is provided, shall be punishable by a fine not exceeding ninety days, or both, in the discretion of the court.

58. *Public Records.* All records of the city shall be public.

59. *Trust Funds.* Trust funds, except where otherwise provided by the instrument creating such trust, shall be kept separate and apart from all other funds and shall be invested by the treasurer in investments from time to time legal for mutual savings banks in the state.

60. *Fees.* No officer or employee of the city shall collect any fees or perquisites for his own use, but all such fees or perquisites collectible under law shall be paid into the city treasury.

Saving Clauses.

61. *Saving Clause.* So much of chapter 329 of the Laws of 1929, and chapter 402, of the Laws of 1947 (not including

chapter 385, Laws of 1947) as are in force when this charter is adopted, relative to the constitution and bounds of its several wards, its school districts and sewer, lighting, and other special precincts and their government and affairs, municipal court, and to the borrowing of money in aid of its school districts, is hereby continued in force, with the exception of such provisions as are inconsistent with this charter; and all special legislation relative to the government of the city, inconsistent herewith, is hereby suspended. All general laws relative to the government of cities shall remain in force in the city so far as the same can be supplied consistently with the intents and purposes of this charter, but shall be deemed superseded as to this city so far as inconsistent herewith. Existing ordinances and other municipal regulations shall remain in force so far as the same can be applied consistently with the intents and purposes of this charter, but are hereby annulled so far as inconsistent herewith. In all existing laws, ordinances, and regulations hereby saved, references to the city councils, board of mayor and aldermen, or other bodies or officers hereby abolished and superseded, or to bodies or officers whose constitution or functions are hereby altered, shall be taken to mean the body or officer upon whom jurisdiction of the matter in question is conferred by this charter or by the administrative code.

62. *Tenure of Office.* The incumbents when this charter takes effect, who are not elected by popular vote, of all municipal offices not hereby abolished or superseded shall continue to hold the same until the expiration of their respective terms where a term of years exists, or until such offices are abolished or superseded by lawful ordinances.

63. *Separability.* The sections of this charter and the parts thereof are separable. If any portion of this charter, or the application thereof to any person or circumstance, shall be held invalid, the remainder thereof or the application of such invalid portions to other persons or circumstances shall not be affected thereby.

Referendum and Adoption of Charter.

35. *Referendum.* Thereafter there shall be two alternative charters for the city of Dover. One shall be designated as Plan 1, being chapter 430 of the Laws of 1949, as amended by sections 1 to 33, inclusive of this act, and being the Mayor-

Council Plan; the second shall be designated as Plan 2, being the charter set forth in section 34 of this act and being the City Manager Plan. On the fourth Tuesday of September, 1953, there shall be a special election held in the city of Dover and questions shall be submitted to the voters of the city in substantially the following form: "Shall the city of Dover be governed by Plan 1, the Mayor-Council Plan or by Plan 2, the City Manager Plan" (Make a cross (x) opposite and to the right of either Plan 1 or Plan 2, but do not vote for both)

Plan 1 — Amended Mayor-Council Plan ☐

Plan 2 — City Manager Plan ☐

The preceding question shall appear at the top of the ballot used at said special election but ballot shall be prepared by the city clerk. If a majority of those voting cast ballots in favor of Plan 1 the present charter of the city, as amended by this act shall be the charter of said city; if a majority of those voting cast ballots in favor of Plan 2 the provisions of section 34 of this act shall constitute the charter of said city. The adoption of either plan as hereinbefore provided shall constitute the suspension of the provisions of the other plan until said plan may be adopted at some subsequent election as hereinafter provided. In the year 1957, and every four years thereafter, during a period of sixteen years from the passage of this act, upon a petition signed by at least five hundred legal voters of the city there shall be a special election held on the fourth Tuesday of September to vote on the question of the form of the charter of said city. The purpose of this section is to provide that the voters may in the manner above indicated change the charter of the city from one plan to the other.

36. *Takes Effect.* The provisions relative to referendum in section 36 shall take effect upon the passage of this act; the remaining provisions shall be effective only as provided therein.

The report was accepted.

On motion of Mr. Chase of Dover the rules were so far suspended as to dispense with the reading of the amendment and that the bill be considered at the present time.

The question being on the motion.

On a *viva voce* vote the motion prevailed.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Leighton of Dover offered the following amendment.

Amend section 35 of the bill by striking out the words "on the fourth Tuesday of December, 1953, there shall be a special" and inserting in place thereof the words, At the next regular biennial; further amend said section by inserting after the word "Dover" in the seventh line the words, on the second Tuesday of December, 1953, and by striking out the word "special" in the fourteenth line, so that said section as amended shall read as follows: 35. *Referendum.* Thereafter there shall be two alternative charters for the city of Dover. One shall be designated as Plan 1, being chapter 430 of the Laws of 1949, as amended by sections 1 to 33, inclusive of this act, and being the Mayor-Council Plan; the second shall be designated as Plan 2, being the charter set forth in section 34 of this act and being the City Manager Plan. At the next regular biennial election held in the city of Dover on the second Tuesday of December, 1953, and questions shall be submitted to the voters of the city in substantially the following form: "Shall the city of Dover be governed by Plan 1, the Mayor-Council Plan or by Plan 2, the City Manager Plan" (Make a cross (x) opposite and to the right of either Plan 1 or Plan 2, but do not vote for both)

Plan 1—Amended Mayor-Council Plan ☐
Plan 2—City Manager Plan ☐

The preceding question shall appear at the top of the ballot used at said election but ballot shall be prepared by the city clerk. If a majority of those voting cast ballots in favor of Plan 1 the present charter of the city, as amended by this act, shall be the charter of said city; if a majority of those voting cast ballots in favor of Plan 2 the provisions of section 34 of this act shall constitute the charter of said city. The adoption of either plan as herinbefore provided shall constitute the suspension of the provisions of the other plan until said plan may be adopted at some subsequent election as hereinafter provided. In the year 1957, and every four years thereafter, during a period of sixteen years from the passage of this act, upon a petition signed by at least five hundred legal voters of the city there shall be a special election held on the fourth Tuesday of September to vote on the question of the form of the charter of said city. The purpose of this section is to provide that the voters may in the manner above indicated change the charter of the city from one plan to the other.

Amend section 36 by striking out the words "only as provided therein" in the third line and inserting in place thereof the words and figures, January first, 1955, so that said section as amended shall read as follows: 36. *Takes Effect.* The provisions relative to referendum in section 35 shall take effect upon the passage of this act; the remaining provisions shall be effective January first, 1955.

On motion of Mr. Leighton of Dover further reading of the amendment was dispensed with.

The question being on the amendment.

Messrs. Leighton, Grimes and Flanagan of Dover spoke in favor of the amendment.

Messrs. Crandall and Chase of Dover spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Grimes of Dover demanded the yeas and nays but subsequently withdrew his demand.

Mr. Leighton of Dover called for a division.

A division being had, 51 members having voted in the affirmative and 155 members having voted in the negative, the amendment was not adopted.

Mr. Flanagan of Dover called for a second division.

A division being had 52 members having voted in the affirmative and 167 members having voted in the negative, the amendment was not adopted.

Mr. Flanagan of Dover demanded the yeas and nays and the roll was called with the following result:

Yeas — 60

STRAFFORD COUNTY: Leighton, Grimes, Flanagan, St. Pierre, Malley.

BELKNAP COUNTY: Gardner of Gilford, Morin, Simoneau.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Flanders, Vogel, Corbett, Cilley, Nawn, Burke, Thompson of Franklin Mulaire.

HILLSBOROUGH COUNTY: Adams of Greenfield Fortin, Saidel, Horan, Fitzgerald, Kean, Betley, Callahan, Healy of Manchester, Ward 6, Ecker, Leclerc, Auger, O'Neil, Gauthier, Lesmerises, Peaslee of Merrimack, Temple, Belcourt, Brosnahan, Shea of Nashua, Ryan, Dugas, Dutilly, Dumais, Barry.

Cheshire County: Sweeney of Keene, Waling.

Sullivan County: Baron.

Grafton County: Jones, Victor of Lebanon, Perley.

Coos Couty: Fontaine, Oakes.

Rockingham County: Ladd, Eldredge, Rathbone, Richards, Eastman, McCaffrey, Sheehy, Carter, Barrett, Hundley, Leary, Ingraham.

Nays — 225

Strafford County: Swain, Chase, Fellows, Webb, Connell, Crandall, Locke of Dover, Funkhouser, Stearns, Wormhood, Rolfe, Maxfield, Nelson, Studley, Brown of Strafford.

Belknap County: McAllister, Roeder, Nichols, Hart, Stafford, Tilton of Laconia, Burbank, O'Shan, Brown of Laconia, Varrell, Kipp, Smith of Meredith, Matthews, Atwood, Metcalf of Tilton.

Carroll County: Washburn, Benson, Mudgett, Morey, Gale, Kimball of Moultonborough, Hodge, Nickerson, Hodgdon.

Merrimack County: Hyde, Holmes of Boscawen, Moore, Marden, Dodge, Ferrin, Hayes, Otis, Lessels, Jewett, Rainie of Concord, Saltmarsh, Bunten, Walker of Concord, Mahoney, Sargent, Mendenhall, Nutter, Broadhurst, Douphinette, Leonard, Patenaude, Dudevoir, Davis of Hopkinton, Brown of Loudon, Wilman, Ferguson, Powell, Youmans.

Hillsborough County: Holmes of Amherst, Robinson, Wiggin, Black, Farwell, Hambleton, Jennings, Poore, Reed of Goffstown, English, Hadley, Goodwin of Hollis, Abbott, Spaulding, Reid of Litchfield, Warren, Corliss, Lang of Manchester, Cain, Pillsbury, Robb, Martel, Sullivan, Nolan, Clancy, Tessier, Attalla, Lareau, Soucy of Manchester, Ward 12, Deans, Falconer, Wadleigh, Cooper, Ramsdell, Maynard of Nashua, Pappagianis, Dionne, Chartrain, Grandmaison, Bouthillier, Locke of New Boston, Thompson of New Ipswich, Cummings, Dutton.

Cheshire County: Maynard of Fitzwilliam, Maloney, Clark of Harrisville, Smith, Belletete, Spofford, Haley, Kirk, Landers, Wheeler, Bennett, Heald, Codding, Faulkner, Barton, Carlton, Sherwin, Blake, Kershaw, Lang of Troy, Killeen, Rhodes, Billings, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Frizzell, Converse, Howe, Firestone, Millar, Marcotte of Claremont, Davis of Cornish, Smith of Langdon, Wirkkala, Holden of Newport, Perry, Roe, Vaughan, Jordan, Metcalf of Springfield, DeLude.

GRAFTON COUNTY: Gingras, Chamberlin of Bath, Whittier, Plumer, Willey, Eggleston, Lorden, Williams, Fuller, Holden of Hanover, McMeekin, Adams of Lebanon, Jones, Fred of Lebanon, Fox, Gardner of Littleton, Longchamps, Martin, Dixon, Carr, Howard, Bell of Plymouth, Loizeaux, Barney, Horner, Anderson, Woodward, Sawyer.

COOS COUNTY: Dussault, Hinchey, Henderson, Brungot, Christiansen, Theriault, Alls, Emerson, Robinson, Ross, Kimball of Jefferson, Simonds, Swett, Boutain, Hayes, Stinson, Taylor.

ROCKINGHAM COUNTY: Brock, Griffin of Auburn, Dudley, Wastcoat, Hepworth, Jones of Fremont, Weeks of Greenland, Spollett, Merrill of Hampton, Thurlow, MacDonald, Parmenter, Sewall, Wells, Pinkham, McDaniel, Seel, Payette, Sadler, Foote, Murch, Yeaton, Wardwell, Smart, Mafera, Haigh, Noyes, Scamman.

And the amendment offered by the member from Dover was not adopted.

The bill was ordered to a third reading.

Special Order

Mr. Martel of Manchester called for the Special Order, it being House Bill No. 445, An Act relating to obscene literature, pictures and articles.

Mr. Martel of Manchester moved to substitute the minority report "ought to pass" for the report of the committee that it is inexpedient to legislate.

The question being on the motion to substitute.

(Discussion Ensued)

Mr. Martel of Manchester, spoke in favor of the motion.

Mr. Holden of Newport spoke against the motion.

Mr. Powell of Sutton moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion Ensued)

Messrs. Powell of Sutton, Hayes of Concord, Waling of Keene, and Rainie of Concord and Mrs. Richards of Exeter spoke in favor of the motion.

Messrs. Saidel of Manchester, Ferguson of Pittsfield, Brown of Loudon, Wadleigh of Milford, and Black of Bennington spoke against the motion.

Mr. Comi of Concord moved the previous question.

The question being.

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion to indefinitely postpone did not prevail.

The question being on the motion to substitute the minority report, ought to pass, for that of the majority.

On a *viva voce* vote the motion to substitute prevailed.

Mr. Martel of Manchester offered the following amendment:

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Obscene Literature.* Amend chapter 441 of the Revised Laws, as amended by section 1 of chapter 256 of the Laws of 1949, by inserting after section 14-a, as inserted by chapter 102 Laws of 1951, the following new section: 14-b. *Definition.* As defined in this chapter the term "obscene" shall mean whose main theme or a notable part of which tends to impair or to corrupt, or to deprave the moral behavior of anyone viewing or reading it.

2. *Takes Effect.* This act shall take effect upon its passage.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that:

The Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following Senate Bill,

in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

Senate Bill No. 69, An Act relative to the duties of the New Hampshire Commission in Interstate Cooperation.

Amend said bill by striking out section 2 and inserting in place thereof the following:

2. *Preparation of Report.* Amend section 5 of chapter 145 of the Laws of 1935 by adding at the end of said section the words, such expenses as may be necessary for the preperation and printing of said report shall be a charge upon the general funds of the state, so that said section as amended shall read as follows: 5. *Report.* The commission shall report to the governor and to the legislature on the first day of each regular legislative session, and at such other times as it deems proper, such expenses as may be necessary for the preparation and printing of said report shall be a charge upon the general funds of the state.

On motion of Mr. McMeekin of Haverhill the House concurred in the adoption of the amendments proposed by the committee on engrossed bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 366, An Act to lay out and construct a continuous highway on a new location across the southeast corner of the State of New Hampshire westerly of the present U. S. No. 1 and to extend said highway northwesterly towards the lake and mountain regions.

Amend section 2 of chapter 295 of the Revised Laws as inserted by section 1 of said bill by striking out said section and inserting in place thereof the following:

2. *Highways Named.* The portion of the toll road from Seabrook connecting with route 1 in Maine shall be designated as the Blue Star memorial highway as provided in chapter 115, Laws of 1949, and shall be located on the road as now constructed. That part of the said toll road from a point in the

city of Portsmouth to a point in the vicinity of the city of Rochester, shall be designated and named Spaulding Turnpike.

On motion of Mr. Spaulding of Hudson the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 367, An Act to lay out and construct a Central New Hampshire Turnpike.

Amend paragraph (a) of section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

(a) Determine the location of the authorized turnpike and fix the width of its right-away; provided that the location of the turnpike through the city of Manchester shall be located on the west bank of the Merrimack river.

On motion of Mr. McMeekin of Haverhill the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 332, An Act providing for a special open season for taking elk.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. The Commissioner of Fish and Game is authorized to capture, release, move and relocate any elk now at large in the state of New Hampshire if in his judgment such elk are a menace to any form of agriculture while in their present range.

The Commissioner may designate any areas to which such transfer may be made and may draw on the Department funds for the expense of such transfer.

2. This act shall take effect upon its passage.

On motion of Mr. Washburn of Bartlett the House nonconcurred in the adoption of the amendments sent down from the Honorable Senate, and a committee of conference was appointed.

The Speaker appointed as members of such committee on

the part of the House, Mr. Metcalf of Tilton, Mrs. Delude of Unity and Mr. Rhodes of Walpole.

House Bill No. 12, An Act relative to season for taking wild deer.

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1. *Wild Deer.* Amend section 3 of chapter 242 of the Revised Laws, as amended by chapter 191, Laws of 1943, chapter 168, Laws of 1945 and chapter 268, Laws of 1949, by striking out said section and inserting in place thereof the following: 3. *Taking; Time.* Wild deer, outside game preserves may be hunted and taken from one-half hour before sunrise to one-half hour after sunset in the part of the state which lies north of the following described line during the month of November; and in that part of the state lying south of the following described line from December first to December twenty-first, provided that no deer shall be hunted or taken at any time on any island or in any waters or lakes and ponds. The line for the division of the state for the purpose of taking wild deer is described as follows: Beginning at the boundary line with the state of Vermont at the southern boundary of the town of Piermont, thence running across the state to the boundary with the state of Maine at the southern boundary of he town of Conway, following the southern boundaries of the towns of Piermont, Warren, Ellsworth, Thornton, Waterville, Albany and Conway.

Further amend said bill by striking out section 2 and by renumbering section 3 to read section 2.

On motion of Mr. Washburn of Bartlett the House nonconcurred in the adoption of the amendments sent down from the Honorable Senate, and a committee of conference was appointed.

The Speaker appointed as members of such committee on the part of the House, Mr. Blake of Swanzey, Miss Spollett of Hampstead and Mr. Stinson of Stratford.

The message also announced that:

The Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 69, An Act relative to the duties of the New Hampshire Commission in Interstate Cooperation.

Resolution

Mr. Pillsbury of Manchester offered the following resolution:

Whereas, Allen M. Wilson of Manchester has passed away and

Whereas, he served both in the House of Representatives and in the Senate, at one time being Republican floor leader in the House and

Whereas, he was a great civic leader, a practicing attorney for more than a half century, the first chairman of the state Board of Public Welfare, a member of the School Board for more than twenty years and its Vice-Chairman for more than a decade, and at the time of his death was Chairman of the Manchester Police Commission, of which group he had been a member for twelve years, therefore be it

Resolved, that we, the members of the House of Representatives, hereby pay tribute to our former fellow member for his valuable and lengthy service to his city and state and extend our heartfelt sympathy to the family in its bereavement and be it further

Resolved, that the Clerk of the House transmit a copy of these Resolutions to Mrs. Wilson.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

Afternoon

The House was immediately called to order in afternoon session.

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow the third readings of bills by their titles only.

Third Readings

House Bill No. 13, An Act creating the flag of the state of New Hampshire, certain distinguishing flags and establishing a state flag code.

House Bill No. 74, An Act relative to qualifications for councilmen under the charter of the city of Concord.

House Bill No. 177, An Act to revise and clarify the charter of the city of Dover.

House Bill No. 218, An Act relative to salaries of court stenographers.

House Bill No. 236, An Act relative to the United Nations flag.

House Bill No. 430, An Act establishing a council on mental health.

House Bill No. 441, An Act relating to the enlargement and extension of water-works of the city of Portsmouth.

House Bill No. 445, An Act relating to obscene literature, pictures and articles.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 97, An Act to authorize the purchase of inventories.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

Reconsideration

Mr. Baron of Claremont moved that the House reconsider its vote whereby it passed House Bill No. 445, An Act relating to obscene literature, pictures, and articles.

On a *viva voce* vote the motion to reconsider did not prevail.

On motion of Mrs. Richards of Exeter at 4:09 the House adjourned.

THURSDAY, JUNE 4, 1953

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Our Father in heaven, we pray for the members of this legislative body, in their several responsibilities. Help them in their leadership, in committees, and, above all, as they meet in this session of the day. May they ever remember that what is said and done here is not said and done in a corner for, they are always under Thy scrutiny. Help each member of this body to keenly feel the weight of his or her responsibility

before Thee, and remember the influence of a good example, that both they, and their constituents back home, may have a stronger faith in government "of the people, by the people, and for the people." Help these Senators and Representatives to so speak and act, that those who observe may be inspired, rather than disappointed by what they see and hear. We ask this in the name of Jesus Christ. *Amen.*

Leaves of Absence

Messrs. Cummings of Peterborough, Roeder of Belmont, and Belletete of Jaffrey were granted leave of absence for the day on account of important business.

Mr. Joyce of Portsmouth was granted an indefinite leave of absence on account of important business.

Report of Committee on Engrossed Bills

Mrs. Hundley of Portsmouth for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled Senate and House Bills:

Senate Bill No. 67, An Act relative to the confidential nature of records of voluntary patients of the division on alcoholism.

House Bill No. 277, An Act to further regulate the taking of oysters.

House Bill No. 278, An Act relative to the restoration of the clam fisheries in New Hampshire.

The report was accepted.

Mr. Hyde of Andover for the Committee on Engrossed Bills to whom was referred Senate Bill No. 70, An Act relative to civil defense agency. Having considered the same, reported the same under Joint rule 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first five lines and inserting in place thereof the following:

1. *Civil Defense Agency.* Amend sections 1 to 17, inclusive, of chapter 304 of the Laws of 1949, as amended by chapter 204, Laws of 1951, by striking out said sections and inserting in place thereof the following:

Civil Defense Act

Amend paragraph II of section 5 of chapter 304 of the Laws of 1949, as inserted by section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

II. To prepare a comprehensive plan and program for the civil defense of this state, such plan and program to be integrated into

Amend section 11 of chapter 304 of the Laws of 1949, as inserted by section 1 of said bill by striking out the words "pension law" in the fifteenth line and inserting in place thereof the words, retirement law. Further amend said bill by striking out section 2 thereof and inserting in place thereof the following:

2. *Renumbering; Takes Effect.* Amend chapter 304 of the Laws of 1949 by renumbering section 18 to read section 22. This act shall take effect upon its passage.

The report was accepted.

On motion of Mr. Rainie of Concord the House adopted the amendments proposed by the committee on engrossed bills.

The bill was then sent to the Senate for concurrence in the amendment.

Flag of the State of New Hampshire

On motion of Mr. Malley of Somersworth the remarks of Mr. Spaulding of Hudson were ordered printed in the Journal.

The most important thing to bear in mind, in voting upon this Bill which establishes the "Flag of the State of New Hampshire," is that, if a Flag is to have *any value* as a symbol; if it is to become alive in the thoughts and affections of the people of the State; the design which it bears must be founded in the courage of our people, in their bloody sacrifices, and in their demonstrated faith and stamina. Otherwise, any design adopted would not be worth material on which it is printed or embroidered. In fact, it would not be a flag at all for a flag must be spiritual.

Any flag, like the Flag of the United States, or the Flag of England, or France, or any of the other great nations, is essentially an emblem of suffering and struggle and bravery, more especially those things endured by those who fight on

land and sea and air in order that we might have liberty and that we might have any country at all. It is *only* because of this symbolism that flags have such a tremendous grip upon the hearts of people and serve as their rallying point in time of distress. The greatest symbol of all, the Cross of Calvary, is based entirely upon pain and suffering.

No device adopted as the Flag of the State of New Hampshire will have the slightest prospect of becoming the symbol of the people of New Hampshire unless it is related to their sacrifices in the past and bespeaks their readiness to make sacrifices in the future if need be. The *frigate,* "Raleigh," which has been the central motif of the Great Seal of New Hampshire since the General Court solemnly adopted it nearly 170 years ago, declares the courage of our people and all that they did to make this free nation. If it had not been for the hundred or more privateers, and the many Navy vessels which operated out of Portsmouth during the War of the Revolution, it is doubtful if the colonies could have won. The Frigate "Raleigh," which appears on the Seal and in the proposed flag, is the most typical and representative of all our early war efforts and this was recognized by the Legislature many generations ago.

Now, the designing of flags of nations, and states, is a great division of *heraldry,* and requires highly expert and professional knowledge of the ancient usages and customs of heraldry. Otherwise. the design of a flag might violate some fundamental rule of heraldry and give rise to criticism or ridicule, instead of exciting reverence. The greatest authorities in the world on flag design, the men who designed all the beautiful flags that are used in the United States Army, Navy, Marine Corps, Air Force, and Coast Guard — and who advise all of the states and territories with respect to the design of flags and crests and coats of arms — are in the Heraldic Division of the Quartermaster General's Office, Department of the Army.

These experts who have advised The Adjutant General of New Hampshire, as result of numerous conferences, that the frigate, "Raleigh," as it appears in our State Seal, is the one great public memorial and symbol of the people of our State. They have recommended strongly that it be adopted as the dominating motif of the proposed "Flag of the State of New Hampshire." They have repeatedly recommended that,

to harmonize with heraldic principles accepted throughout the world, the flag be made as simple as possible; the simpler the more easily it is recognized and understood.

Therefore, as one citizen who dearly loves this grand old State of New Hampshire, and who is proud as a man can ever be of the contributions which its brave people in the past made in order that we might have liberty and independence, and who believes that in the courage and unselfishness of our people lies the greatest, and the only, hope for our future, I urge that this Bill be enacted as it has been reported by the Committee and I go further to predict that, if this is done, within a very short time, that Flag with the noble frigate showing against the blue field will be everywhere recognized as the symbol of New Hampshire.

The Ship of State! It is the most appropriate of all symbols of which we could ever think. Remember that, as the Captain of the American Frigate, "Chesapeake," lay dying on the deck during the battle with the English Frigate Shannon, he cried to his crew, "Don't give up the Ship!" Remember too, how, when he opened his great battle with the English on Lake Erie, Captain Perry ran to the top of the mast of his flag a pennant bearing the words, "Don't Give Up the Ship."

Today, as you vote on this measure, remembering that you are striving to create something which will forever stimulate the hearts of people and serve as their great central symbol, remember this:

"Don't give up the ship."

Committee Reports
Taken from the Table

Senate Bill No. 57, An Act relative to the construction of a dormitory at Keene Teachers College, to be liquidated from income The question being on the amendment, as printed in the Journal of June 2.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mrs. Cooper of Nashua for the Committee on Judiciary to whom was referred House Bill No. 247, An Act relating to damages for wrongful death. Having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Judiciary to whom was referred House Bill No. 247, An Act relating to damages for wrongful death. Having considered the same, and being unable to agree with the majority, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Limitations increased.* Amend section 13 of Chapter 355, of the Revised Laws, as amended by Chapter 254 of the Laws of 1949, by striking out the words "seven thousand five hundred" in the third line and inserting in place thereof the words, ten thousand; and further amend said section by striking out the word "fifteen" in the sixth line and inserting in place thereof the word, twenty, so that said section as amended shall read as follows: 13. *Limitation.* The damages recoverable in any such action shall not exceed ten thousand dollars, except in cases where the plaintiff's decedent has left either a widow, widower, or minor children or a dependent father or mother, when the damages recoverable shall not exceed twenty thousand dollars.

DANIEL J. HEALY
MYER SAIDEL
NELLE L. HOLMES
FRANCIS F. FAULKNER
A Minority for the Committee

The reports were accepted.

Mr. Saidel of Manchester moved to substitute the minority report for that of the majority.

The question being on the motion to substitute.

(Discussion Ensued)

Mr. Saidel of Manchester spoke in favor of the motion.

Mrs. Cooper of Nashua moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion Ensued)

Mrs. Cooper of Nashua and Messrs. Eastman of Kensington, Walker of Concord, Wadleigh of Milford, Merrill of Hampton, and Wells of Newton spoke in favor of the motion.

Mrs. Holmes of Amherst and Messrs. Healy of Manchester, ward 6, Faulkner of Keene, Barton of Keene and Saidel of Manchester spoke against the motion.

Mr. Barry of Wilton moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the chair was in doubt and asked for a division.

A division being had 238 members having voted in the affirmative and 47 members having voted in the negative and the motion to indefinitely postpone prevailed.

Mr. Healy of Manchester, Ward 6, demanded the yeas and nays but subsequently withdrew his demand.

Mr. McDaniel of Manchester for the Committee on Appropriations to whom was referred House Bill No. 434, An Act to provide for a central commissary bakery at the state prison. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Bakery Established.* There is hereby established a central commissiary bakery at the state prison for the purpose of providing bakery products to state institutions. The bakery shall be a part of the prison industries, conducted and managed by the warden under the direct supervision of the trustees of the prison. All income received from the operation of said bakery shall be available for expenditure for operation of said bakery including employment of necessary additional personnel. The balance of said income shall be deemed to be revenue for prison industries.

2. *Funds.* The balance of funds appropriated for the use of a state hospital bakery under the provisions of chapter 254, Laws of 1951 shall not lapse but are hereby transferred and made available for the purposes of this act. The funds so transferred shall be added to the appropriation made in the 1953 act for capital improvements and long term repairs for

the central commissary bakery at the state prison. The joint fund thus constituted shall be expended for the construction, equipment and furnishing of said bakery. Such joint fund shall be expended under the direction of the board of trustees of the prison, provided that all contracts for construction and plans and specifications therefor shall be awarded in accordance with the provisions of chapter 90-a of the Revised Laws, as inserted by part 9 of chapter 5, Laws of 1950. The payment of principal and interest on bonds or notes issued for the purpose of the appropriation for said bakery, shall be a charge against the revenue from prison industries. Any provision of law relative to the use of revenues for the prison industries which is inconsistent with the provisions hereof, shall be suspended until the obligations of the state on account of borrowing for said commissary bakery have been met.

3. *Application of Laws.* Such parts of section 8 of chapter 254, Laws of 1951, and section 6 of the act for capital improvements and long term repairs passed in 1953, relative to payment of bonds or notes, as are inconsistent with the provisions of this act are hereby repealed to the extent with the provisions o fthis act are hereby repealed to the extent of such inconsistency.

4. *Takes Effect.* This act shall take effect as of July 1, 1953.

The report was accepted.

On motion of Mr. McMeekin of Haverhill reading of the amendment was dispensed with.

The question being on the amendment.

(Discussion Ensued)

Messrs. Pillsbury of Manchester, Scamman of Strafford, and Spaulding of Hudson spoke in favor of the amendment.

Mr. Geisel of Manchester spoke against the amendment.

Mr. Barton of Claremont moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Griffin of Lincoln for the Committee on Ways and

Means to whom was referred House Bill No. 447, An Act relative to the tax on tobacco products. Having considered the same, report the same with the following resolution,

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Danforth of Manchester moved that the words "ought to pass" be substituted for the report of the committee, that it is inexpedient to legislate.

The question being on the motion to substitute.

(Discussion Ensued)

Messrs. Danforth, Pillsbury and Geisel of Manchester and Marcotte of Claremont spoke in favor of the motion.

Messrs. Griffin of Lincoln, Spaulding of Hudson, Baron of Claremont, and Jones of Lebanon spoke against the motion.

Mr. Ingraham of Portsmouth moved the previous question.

The question being:

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

Mr. Pillsbury of Manchester called for a division.

A division being had 87 members having voted in the affirmative and 190 members having voted in the negative, the motion to substitute did not prevail.

The question being on the resolution of the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

On motion of Mr. Vaughan of Newport the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Miss Woodward of Waterville for the Committee on Education to whom was referred Senate Bill No. 96, An Act to raise the minimum age for school attendance to sixteen years. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by adding at the end thereof the following, Provided further, if a child reaches his sixth

birthday after September 30th he will not be required to attend school under the provisions of this act until the following school year, so that said section as amended shall read as follows:

1. *School Pupils.* Amend section 1 of chapter 137 of the Revised Laws, as amended by chapter 92, Laws of 1949, by striking out said section and inserting in place thereof the following: 1. *Duty of Pupil.* Every child between six and sixteen years of age shall attend the public school within the district or a public school outside the district to which he is assigned or an approved private school during all the time the public schools are in session, unless he has been excused from attending on the ground that his physical or mental condition is such as to prevent his attendance or to make it underisable. Provided that any child more than fourteen years old who has completed the studies prescribed for the elementary schools shall not be required to attend high school if the school district where he resides does not maintain a high school. Provided further, if a child reaches his sixth birthday after September 30th he will not be required to attend school under the provisions of this act until the following school year.

The report was accepted.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted.

The question being. Shall the bill be read a third time?

(Discussion Ensued)

Messrs. Vaughan of Newport, and Pillsbury of Manchester and Mrs. Richards of Exeter and Miss Woodward of Waterville spoke in favor of the question.

Mr. Brown of Loudon spoke against the question.

On a *viva voce* vote the bill was ordered to a third reading.

Committee of Conference Report

The committee of conference, to whom was referred House Bill No. 338, An Act relative to cooperative school districts, report the same with the recommendation that the House recede from its position of non-concurrence in the adoption of the new section 7 to said bill and concur with the Senate in the adoption of said amendment to the bill. The

committee further recommend that the Senate recede from its position in the adoption of its amendment to the bill by the new section 8, that the House recede from its position of non-concurrence in said section 8 and that the Senate and House adopt the following amendments to said bill:

Amend the bill by inserting after section 7 the following new section:

8. *Optional Provisions.* Amend section 8 of chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951, by striking out said section and inserting in place thereof the following: 8. *Cost of Operation.* The cost of operating cooperative schools shall be prorated among the pre-existing districts in accordance with either one of the following ways, except as hereinafter provided, as determined by the majority vote of the cooperative district meeting.

I. The proportion that its adjusted valuation bears to the total adjusted valuation of the property within the cooperative school district; or

II. One-half of cost shall be apportioned in proportion to the average daily membership for the preceding school year and one-half shall be apportioned on the adjusted valuation formula above.

III. Provided that in the formation of cooperative school district from pre-existing school districts of Bennington, Dublin, Francestown, Greenfield, Hancock, Peterborough, Sharon and Temple or any combination of said districts as laid out by the board the cooperative district to be formed may, by vote at the organization meeting, choose to prorate the cost of operating said cooperative district by either one of the methods provided by paragraphs I and II of this section, or may choose the following alternative method, namely, the total cost shall be apportioned in proportion to the average daily membership for the preceding school year.

Further amend said bill by renumbering section 7 to read section 9.

BERNARD J. ROBINSON
SARAH J. WOODWARD
ELEANORA C. NUTTER
Conferees on the part of the House
KATHARINE JACKSON
MARYE W. CARON
Conferees on the part of the Senate

On motion of Mr. Robinson of Gorham, reading of the amendment was dispensed with.

The question being on agreeing to the report of the Committee of Conference.

On a *viva voce* vote the report was agreed to.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 81, An Act relative to the salary of the justice and the special justice of the municipal court of Berlin.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to the salaries of the justice and special justice of the municipal court of Berlin, Franklin, and relative to appearances for violators of motor vehicle operations.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following: 2. *Berlin and Franklin Municipal Courts.* Amend paragraph I of section 31 of chapter 377 of the Revised Laws, as amended by chapter 232 of the Laws of 1947 and chapter 73, Laws of 1953, by striking out the words, "In Berlin, one thousand eight hundred dollars" and inserting in place thereof the words; In Berlin, twenty-two hundred dollars. Further amend said section by striking out the words "In Franklin, nine hundred dollars" and inserting in place thereof the words, In Franklin, on thousand, two hundred dollars, so that said paragraph shall read as follows:

I. *Salaries of Justices.* Salaries of justices of municipal courts shall be paid from the treasury of the city or town in which such courts are located, may be paid quarterly or monthly, and shall be in the following sums per annum:

In Manchester, three thousand eight hundred dollars;
In Nashua, two thousand eight hundred dollars;
In Concord, three thousand five hundred dollars;
In Portsmouth, one thousand eight hundred dollars;
In Dover, one thousand eight hundred dollars;
In Laconia, one thousand eight hundred dollars;

In Keene, one thousand eight hundred dollars;
In Claremont, one thousand eight hundred dollars;
In Berlin, twenty-two hundred dollars;
In Rochester, one thousand two hundred dollars;
In Lebanon, one thousand dollars;
In Newport, nine hundred dollars;
In Derry, nine hundred dollars;
In Franklin, one thousand two hundred dollars;
In Exeter, eight hundred dollars;
In Somersworth, eight hundred dollars;
In Littleton, eight hundred dollars;
In Milford, six hundred dollars;

Further amend said bill by inserting after section 2 the following new section:

3. *Motor Vehicle Violations.* Amend chapter 118 of the Revised Laws by inserting after section 30-a, as inserted by section 6, chapter 20, Laws of 1951, the following new section: 30-b. *By Counsel.* Any person charged with violation of the provisions of any laws relative to the use and operation of motor vehicles, except where the penalty involves imprisonment, may, without personal appearance, appear by counsel in answer to said charge.

Further amend said bill by renumbering section 3 to read section 4.

On motion of Mr. Douphinette of Franklin the House concurred in the adoption of the amendments sent down from Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 440, An Act to repeal charters of certain corporations.

Amend section 1 of said bill by striking out the words and figures "Bass & Seidler, Inc. (Littleton, 1951)" where it occurs in said section 1.

On motion of Mr. Wells of Newton the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that:

The Senate had voted to accede to the request of the

House of Representatives for a committee of conference on House Bill No. 332 An Act providing for a special open season for taking elk and the President has appointed as members of such a committee on the part of the Senate Senators Knox and Kendall.

The Senate had voted to accede to the request of the House of Representatives for a committee of conference on House Bill No. 12, An Act relative to season for taking wild deer and the President has appointed as members of such committee on the part of the Senate Senators Kelley and Jones.

The message further announced that:

The Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

House Bill No. 423, An Act providing for a salary increase for classified state employees.

House Bill No. 439, An Act providing for additional appropriations for certain departments and institutions for the fiscal year ending June 30, 1952 and 1953.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

House Bill No. 111, An Act providing for safety to life in places of assembly.

House Bill No. 437, An Act relative to the retirement of the federal government from the field of motor fuel taxation.

House Joint Resolution No. 55, Joint Resolution in favor of the estate of Henry M. Moffett.

House Joint Resolution No. 56, Joint Resolution in favor of the estate of William B. Cushing.

The message also announced that:

The Senate had voted to adopt the report of the Committee of Conference on House Bill No. 180, An Act relating to the salaries of the justice, special justice and clerk of the municipal court of Manchester and the salary of the justices of the Municipal Court of Lebanon.

Resolutions

Mr. Gauthier of Manchester offered the following resolution:

Resolved, That for the duration of the session each member talking on bills and reports be limited to five minutes.

On a *viva voce* vote the resolution was adopted.

Mr. Diffenderfer of Ossipee offered the following resolution:

Resolved, That the Rules of the House be amended as follows:

Amend the Rules of the House by adding at the end thereof the following new rule;

58. All regular sessions of the House shall convene at twelve-thirty o'clock on the legislative day, unless the House shall otherwise order. Committee hearings shall be scheduled for ten o'clock in the forenoon on legislative days, unless otherwise ordered by the chairman of the committee.

To take effect on the first Wednesday in January 1955.

Mr. Diffenderfer of Ossipee moved that the resolution be laid upon the table and made a special order for Wednesday, June 10 at 11:01 o'clock.

The question being on the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the resolution.

(Discussion Ensued)

Mr. Diffenderfer of Ossipee spoke in favor of the resolution.

Mr. Wells of Newton spoke against the resolution.

On a *viva voce* vote the resolution did not prevail.

Committee Appointed

The following members were appointed to a Committee for a Memorial Service:

Mr. Reed of Goffstown
Mr. Peever of Salem
Mrs. Funkhouser of Durham
Mrs. Otis of Concord
Mr. Sheridan of Berlin

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time, and that the third readings of bills be by their titles only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

Third Readings

House Bill No. 434, An Act to provide for a central commissary bakery at State Prison.

Read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 57, An Act relative to the construction of a dormitory at Keene Teachers College, to be liquidated from income.

Senate Bill No. 96, An Act to raise the minimum required age for school attendance to sixteen years.

Severally read a third time and passed and sent to the Senate for concurrence in the amendment.

On motion of Mrs. Brock of Atkinson at 3:04 o'clock the House adjourned.

TUESDAY, JUNE 9, 1953

The House met according to adjournment.

Prayer was offered by Guest Chaplain, Rev. Norman R. Farnum, Jr., 1st Congregational Church, Walpole.

Almighty God, our heavenly Father, before we resume the weighty deliberations concerning the welfare of the people of this state, we would pause for a moment of communion with Thee.

We seek Thy guidance, O God, that we may be true to the faith of those men of state who have gone on before us. Strengthen our courage to look ahead, and to plan the future with all honesty and with a growing harmony with Thy will.

Enable us to make complete all that is partial; draw us together when we become divided over little things; forgive us when we become impatient, and lift us when we fall.

Grant that all our decisions and actions may be righteous in Thy sight, O Lord. May Thy Spirit which was in Jesus be in us this day. *Amen.*

Joint Convention

The Honorable Senate then came in and the two branches being in convention were addressed by Lieutenant Governor of Nevada, Clifford A. Jones.

The convention then rose.

House

Leaves of Absence

Mr. Corbett of Concord was granted leave of absence for the day on account of important business.

Mr. Howard of Piermont was granted leave of absence for the week on account of illness.

Mr. Karagianis of Laconia was granted leave of absence for the day on account of illness.

Qualified

Mr. Parker of Farmington having qualified before His Excellency, the Governor, then appeared and took his seat as a member of the House.

Communication

The following letter was read by the Speaker:

To any member of the House who may be interested:

Through the courtesy of Speaker Ray Perkins, I am privileged to give this message. I have recently had a call at my home by Rep. Joseph Geisel and Sen. James Cleveland, at which time Mr. Geisel presented me with an envelope containing a substantial amount, which he (Mr. Geisel) states was contributed by the members of the House and Senate. I instructed Mr. Geisel to have an Amoskeag Bank Book issued for the full amount, credited to myself and Mrs. Spiller. Be assured this will be exceedingly helpful in this time of need. Because there was no list of donors, no expression of thanks can be made to individuals, but to all who had a part, the writer wishes to express his most heartfelt appreciation of the spirit which prompted anyone to remember him at this time.

STANLEY A. SPILLER

Resolutions

Mrs. Cooper of Nashua offered the following resolution:

Resolved, That the members of the House be allowed to remove their coats during this summer season.

On a *viva voce* vote the resolution was adopted.

Mr. Vaughan of Newport offered the following resolution.

Whereas, it appears from a study of House Bill 271 that a real problem exists incident to the cost to local school districts of educating the so-called state wards and those children removed from the control and supervision of their parents or close relatives who are residents in the different school districts of the state, and for whom the state, county or local community, or private child welfare agency or institution, has assumed full financial responsibility for their board, lodging, clothes and other personal requirements, now be it

Resolved, (1) That the State Board of Education is hereby authorized and directed to make a study of these problems.

(2) The State Board of Education may request and shall receive from any department, division, board, district, bureau or agency of the state or political subdivision and also from private organizations such assistance and data as will enable it properly to discharge its duties and responsibilities hereinunder.

(3) The State Board shall make to the 1955 session of the General Court a final report which shall include recommendations for appropriate legislation.

On a *viva voce* vote the resolution was adopted.

Report of Committee on Engrossed Bills

Mrs. Corliss of Manchester and Mrs. Hundley of Portsmouth for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled Bills:

House Bill No. 180, An Act relating to the salaries of the justice, special justice and clerk of the municipal court of Manchester, and the salary of the justice of the municipal court of Lebanon.

House Bill No. 439, An Act providing for additional appropriations for certain departments and institutions for the fiscal years ending June 30, 1952 and 1953.

House Joint Resolution No. 55, Joint Resolution in favor of the estate of Henry M. Moffett.

House Joint Resolution No. 56, Joint Resolution in favor of the estate of William B. Cushing.

Senate Bill No. 69, An Act relative to the duties of the New Hampshire Commission on Interstate Cooperation.

Senate Bill No. 93, An Act amending the charter of the New Hampshire Centennial Home for the aged.

House Bill No. 216, An Act amending the unemployment compensation law.

House Bill No. 312, An Act providing for a revolving fund for use by the state technical institutes.

House Bill No. 423, An Act providing for a salary increase for classified state employees.

House Joint Resolution No. 6, Joint Resolution in favor of Richard R. Glines.

House Joint Resolution No. 54, Joint Resolution in favor of Charles F. Macey, employee of the New Hampshire state hospital.

Senate Bill No. 97, An Act to authorize the purchase of inventories.

House Bill No. 111, An Act providing for safety to life in places of assembly.

House Bill No. 281, An Act relative to the construction of sea walls on state owned land in the town of Hampton.

House Bill No. 338, An Act relative to cooperative school districts.

House Bill No. 437, An Act relative to the retirement of the federal government from the field of motor fuel taxation.

House Bill No. 440, An Act to repeal charters of certain corporations.

The report was accepted.

Mr. McMeekin of Haverhill for the Committee on Engrossed Bills to whom was referred House Bill No. 367, An Act to lay out and construct a central New Hampshire turnpike. Having considered the same, reported the same under Joint rule 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend paragraph (m) of section 1 of said bill by striking

out the first two lines and inserting in place thereof the following:

(m) Employ such assistants, engineers or consulting services as may be necessary to carry out the provisions of paragraphs (k) and (l) above.

Amend section 8 of said bill by striking out the words "service areas authorized under section 1 (h) or."

The report was accepted.

On motion of Mr. McMeekin of Haverhill the House adopted the amendments proposed by the committee on engrossed bills.

The bill was then sent to the Senate for concurrence in the amendment.

Communication

The speaker read the following communication:

Winchester, N. H.
June 8, 1953

To the Members of the House of Representatives:

Please accept my sincere appreciation of the resolutions drawn up by you, paying tribute to the services of my husband to his town, county and state and to the sympathy expressed at the time of his passing.

In the years to come I will treasure these resolutions more and more.

Sincerely,

MRS. W. C. BURBANK

Committee Reports

Mr. Scamman of Stratham for the Committee on Appropriations to whom was referred House Bill No. 438, An Act relating to the appropriation for the Timber Tax Reimbursement Fund. Having considered the same, reported the same with the fololwing amendment, and the recommendation that the bill as amended ought to pass.

Amend section 22 of chapter 79-z of the Revised Laws as inserted by chapter 295, Laws of 1949, by striking out the same and inserting in place thereof the following: 22. *Revision.* The provisions as to the creation of said reimbursement fund and the method and amount of reimbursement provided for in sections 12 through 19, inclusive, shall expire October 1, 1955,

provided, however, that reimbursement shall be made for losses of tax revenue sustained in the year 1955 to those places, so entitled, as though such provisions remained in full force and effect, and the general court of 1955 shall revise said provisions as the situation then existing shall require.

The report was accepted and the amendment was adopted.

Mrs. Gardner of Guilford offered the following amendment.

Amend the bill by inserting a new section as follows:

Such parts of section 4 of chapter 76 of the Revised Laws as amended by section 1, chapter 144, Laws of 1943, as require the selectmen's invoice to show valuation of growing wood and timber separately from the land, and such parts of section 3, chapter 75 of the Revised Laws as amended by section 3, chapter 144, Laws of 1943, and chapter 86 of the Laws of 1947 as require the owner in returning his inventory of property to list an estimate of the amount and kind of wood and timber owned by him, are hereby reinstated.

The question being on the amendment.

(Discussion Ensued)

Mrs. Gardner of Guilford, and Messrs. Baron of Claremont, Perley of Lebanon, Spaulding of Hudson, Moore of Bradford and Wirkkala of Lempster spoke in favor of the amendment.

Messrs. Barry of Rumney, Pillsbury of Manchester, Scamman of Stratham, Mendenhall of Dunbarton, Barry of Wilton, English of Hancock and Ferguson of Pittsfield spoke against the amendment.

Mr. Angus of Claremont moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by the member from Guilford.

Mrs. Gardner of Guilford called for a division.

A division being had 144 members having voted in the affirmative and 161 members having voted in the negative the amendment was not adopted.

Mrs. Gardner of Guilford demanded the yeas and nays and the roll was called with the following result.

Roll Call

Yeas — 163

BELKNAP COUNTY: Perkins of Alton, Gardner of Gilford, Stafford, Morin, Simoneau, Tilton of Laconia, Hoyt, Burbank, O'Shan, Brown of Laconia, Varrell, Matthews, Metcalf of Tilton.

CARROLL COUNTY: Washburn, Benson, Hodge, Peaslee of Wakefield.

MERRIMACK COUNTY: Moore, Dodge, Ferrin, Perkins of Concord, ward 3, Hancock, Otis, Lessels, Bunten, Cilley, Maxham, Mahoney, Comi, Sargent, Burke, Thompson of Franklin, Douphinette, Leonard, Deduvoir, Youmans.

HILLSBOROUGH COUNTY: Robinson, Farwell, Hambleton, Poore, Hadley, Abbott, Spaulding, Reid of Litchfield, Saidel, Soucy of Manchester, ward 1, Danforth, Geisel, Robb, Martel, Sullivan, Kean, Nolan, Betley, Healy of Manchester, ward 5, Callahan, Healy of Manchester, ward 6, Leclerc, Tessier, Delisle, Auger, Keans, O'Neil, Attalla, Lareau, Soucy of Manchester, ward 12, Chapdelaine, Gauthier, Lesmerises, Cannon, Peaslee of Merrimack, Falconer, Colburn, Cooper, Freeman, Ramsdell, Temple, Belcourt, Morrissette, Maynard of Nashua, Dionne, Shea of Nashua, Chartrain, Ryan, Dugas, Dutilly, Grandmaison, Bouthillier, Dumais.

CHESHIRE COUNTY: Burnham, Heald, Waling, Killeen, Rhodes.

SULLIVAN COUNTY: Converse, Howe, Firestone, Nahil, Baron, Marcotte of Claremont, Stone, Davis of Cornish, Smith of Langdon, Wirkkala, Jordan, Gamsby, Delude.

GRAFTON COUNTY: Whittier, Willey, Eggleston, Brown of Easton, Peabody, Williams, Jones, Fred of Lebanon, Perley, Gardner of Littleton, Longchamps, Dixon, Carr, Bell of Plymouth, Horner, Sawyer.

COOS COUNTY: Fontaine, Oakes, Boutain, Weeks of Stewartstown, Stinson.

ROCKINGHAM COUNTY: Dudley, Barka, Clark of Derry, Hepworth, Eastman, Rathbone, Richards, Ring, Sheehy, LaBranche, Sewall, Carter, Pinkham, Seel, Barrett, Hundley,

Payette, Sadler, Foote, Murch, Yeaton, Leary, Wardwell, Smart, Ingraham, Mafera, Haigh, Noyes.

STRAFFORD COUNTY: Grimes, Marcotte of Dover, Connell, Flanagan, Rolfe, Maxfield, St. Pierre, Studley, Letourneau.

Nays — 172

BELNAP COUNTY: McAllister, Nichols, Hart, Kipp, Smith of Meredith, Atwood.

CARROLL COUNTY: Downs, Mudgett, Morey, Gale, Kimball of Moultonborough, Diffenderfer, Nickerson, Hodgdon, Clow, Ford.

MERRIMACK COUNTY: Hyde, Holmes of Boscawen, Flanders, Vogel, Marden, Tebbetts, Jewett, Rainie of Concord, Saltmarsh, Walker of Concord, Nawn, Mendenhall, Nutter, Broadhurst, Patenaude, Mulaire, Davis of Hopkinton, Brown of Loudon, Wilman, Ferguson, Young, Powell.

HILLSBOROUGH COUNTY: Holmes of Amherst, Wiggin, Black, Jennings, Reed of Goffstown, Adams of Greenfield, Fortin, English, Goodwin of Hollis, Goodwin of Hudson, Warren, Corliss, Lang of Manchester, Pillsbury, Connor, Horan, Fitzgerald, Hurley, Clancy, Ecker, Constant, Donnelly, Deans, Wadleigh, Boire, Brosnahan, Locke of New Boston, Thompson of New Ipswich, Mailloux, Dutton, Barry.

CHESHIRE COUNTY: Maynard of Fitzwilliam, Maloney, Clark of Harrisville, Smith, Belletete, Spofford, Haley, Kirk, Sweeney of Keene, Landers, Wheeler, Bennett, Codding, Faulkner, Barton, Carlton, Sherwin, Blake, Kershaw, Lang of Troy, Billings, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Frizzell, Angus, Millar, Holden of Newport, Perry, Roe, Vaughan, Metcalf of Springfield.

GRAFTON COUNTY: Gingras, Chamberlin of Bath, Plumer, Fuller, Hayward, Holden of Hanover, McMeekin, Sleeper, Adams of Lebanon, Ashley, Cole, Griffin of Lincoln, Fox, Martin, Loizeaux, Barney, Anderson, Woodward.

COOS COUNTY: Dussault, Hinchey, Henderson, Sheridan, Brungot, Christiansen, Bouchard, Theriault, Emerson, Robinson, Ross, Kimball of Jefferson, Simonds, Swett, Potter, Hayes, Hilliard, Taylor.

ROCKINGHAM COUNTY: Brock, Griffin of Auburn, Ladd, Eldredge, Jones of Fremont, Weeks of Greenland, Spollett,

Merrill of Hampton, Thurlow, Eastman, Parmenter, Wells, McDaniel, Philbrick. Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Chase, Keenan, Leighton, Fellows, Crandall, Locke of Dover, Funkhouser, Littlehale, Stearns, Blanchard, Parker, Wormhood, Nelson, Lacasse, Clement, Fernald, Lagueux, Malley, Brown of Strafford.

And the amendment was not adopted.

Mrs. Delude of Unity offered the following amendment.

Amend said bill by adding the following new section:

Amendment. Amend chapter 79-A, Revised Laws as inserted by chapter 295, Laws of 1949, by adding after section 19 the following new section: 19-A. *Adjustment of Base Valuation.* In determining the loss of tax revenue suffered in cities, towns, unorganized towns and unincorporated places as a result of the exemption of growing wood and timber, as provided in sections 18 and 19, the state tax commission is authorized to equalize the base valuation thereof for the base years 1944 to 1948 inclusive by adjusting the same to a comparatively reasonable level in cases where the tax commission shall find that such base valuation is unjustly inadequate. In making this determination the tax commission shall consider the general average level of assessments of growing wood and timber on a statewide basis for the base years, the tax burden on other property in the particular city, town or place involved, and any peculiar conditions of hardship which make an adjustment of the base valuation equitable.

The question being on the amendment.

(Discussion Ensued)

Mrs. Delude of Unity spoke in favor of the amendment.

Mr. Pillsbury of Manchester spoke against the amendment.

On a *viva voce* vote the amendment was not adopted and the bill was ordered to a third reading.

Mr. Dixon of Lyme for the Committee on Judiciary to whom was referred House Bill No. 448, An Act relative to the incontestability of a tax deed. Having considered the same, reported the same with recommendation that the bill be referred to the Judicial Council for study and recommendation.

The report was accepted and the recommendation of the committee adopted.

Mr. Nawn of Concord for the Special Committee consisting of the delegation from the city of Concord to whom was referred House Bill No. 400, An Act to create centralized registration of voters in the city of Concord. Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by inserting after figure "1" in the fourth line the words and figure, and ward 8, so that said section as amended shall read as follows:

1. *City of Concord.* Amend chapter 418 of the Laws of 1949 by inserting after section 2 the following new section: 2-a. *Central Registration.* The supervisors of the checklists in the city of Concord, except the supervisors of ward 1 and ward 8 shall hold all sessions for the correction of the checklists of their respective wards at the city hall.

The report was accepted the amendment adopted and the bill ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 442, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1954.

Amend section 1 of the bill by striking out after the words "to wit:" the paragraph, "A continuing appropriation which shall not lapse, shall not be transferred to any department, institution or account, and which shall be for the expenses of the legislature, including $24,150.00 for the office of legislative assistant to the appropriations and finance committees, as provided by section 33-37, chapter 9 of the Revised Laws, as inserted by chapter 10, Laws of 1953.

(Salary of assistant $7,500., deputy assistant $4,500., other personal services $10,050., current expenses $850., travel $800., equipment $450.)	$275,000.00
Council of state governments	2,000.00
*Legislative council	3,000.00

Total for legislative branch	$280,000.00

*The funds in this appropriation shall not lapse, but shall be available for expenditure in the following year."
and inserting in place thereof the following new paragraph:

A continuing appropriation which shall not lapse, shall not be transferred to any department, institution or account, and which shall be for the expenses of the legislature, including $29,670.00 for the office of legislative assistant to the appropriations and finance committees, as provided by sections 33-37, chapter 9 of the Revised Laws, as inserted by chapter 10, Laws of 1953.

(Salary of assistant $8,500., deputy assistant $5,000., other personal services $14,070., current expenses $850., travel $800., equipment $450.)	$179,020.00
Council of state governments	2,000.00
*Legislative council	3,000.00
Total for legislative branch	$184,020.00

*The funds in this appropriation shall not lapse, but shall be available for expenditure in the following year.

Amend section 1 of the bill in the appropriation "For administration and control:" by striking out in the paragraph "Division of budget and control:" the words and figures, "Other personal services 9,540.00" and inserting in place thereof the words and figures, Other personal services 5,520.00; by striking out the words and figures "Total $57,040.00" and inserting in place thereof the words and figures, Total $53,-020.00.

Further amend said appropriation "For administration and control:" by striking out in the paragraph "Division of accounts:" the words and figures, "Other personal services 40,328.16", and inserting in place thereof the words and figures, Other personal services 41,028.16.

Further amend said appropriation "For administration and control:" by striking out in the paragraph "Division of personnel:" the words and figures, "Other personal services 25,184.40" and inserting in place thereof the words and figures, Other personal services 28,544.40; by striking out the

words and figures "Total 34,159.40" and inserting in place thereof the words and figures, Total 37,519.40.

Further amend said appropriation "For administration and control:" by striking out the words and figures "Total for administration and control $431,392.76" and inserting in place thereof the words and figures, Total for administration and control $430,732.76.

Amend section 1 of the bill in the appropriation "For department of agriculture:", under the item "Division of markets and standards:" by striking out the words and figures "†Less estimated revenue 3,970.00", and inserting in place thereof the words and figures †Less estimated revenue and balance 3,970.00.

Further amend section 1 of the bill in the appropriation "For department of agriculture:" under the item "Farm products inspection fund:", by striking out the words and figures "** Less estimated revenue 830.00", and inserting in place thereof the words and figures ** Less estimated revenue and balance. 830.00.

Amend section 1 of the bill under the appropriation "For state treasury:" by striking out the words and figures "Other personal services 50,910.00," and inserting in place thereof the words and figures, Other personal services 49,410.00. Further amend said appropriation "For state treasury:" by inserting after the words and figures "Equipment 500.00" a new item —

*Other expenditures

Audit 1,500.00,

*The legislative budget assistant shall designate a certified public accountant, not employed in state service, to make the annual audit of the state treasury and said legislative budget assistant may accept the findings and report of said certified public accountant as fulfilling the provisions of section 12a, chapter 23, of the Revised Laws, whereby the said legislative budget assistant is required to audit the accounts of the state treasurer.

Amend section 1 of the bill in the appropriation "For state treasury:" by striking out the words and figures "Trust Funds 37,087.27", and inserting in place thereof the words and figures Trust funds 37,095.27. Further amend said appropriation by striking out the words and figures "Total for state treasurer $117,732.77" and inserting in place thereof the words and figures Total for state treasurer $117,740.77.

Amend section 1 of the bill under the appropriation "For Laconia State School:" by inserting after the item "Equipment 4,500.00", in the paragraph for "Custodial care:" a new item, as follows:

**Other expenditures	
Care of children under six years of age	**21,000.00

**This appropriation shall not lapse and shall not be used for any other purpose.

so that said paragraph as amended shall read as follows:

Custodial care:		
Personal services	$78,175.00	
Current expenses	*193,971.00	
Travel	25.00	
Equipment	4,500.00	
Other expenditures —		
Care of children under six years of age	**21,000.00	
Total		$297,671.00

*In this appropriation $101,200.00 shall be for products used from the institution's farm. No part of this amount shall be transferred to any other appropriation.

**This appropriation shall not lapse and shall not be used for any other purpose.

Further amend said appropriation "For Laconia State School:" by striking out the words and figures

"Total for Laconia state school	$689,023.00
Less refunds (maintenance)	27,500.00
Net appropriation	$661,523.00

and inserting in place thereof the words and figures,

"Total for Laconia state school	$710,023.00
Less refunds (maintenance)	27,500.00
Net appropriation	$682,523.00

Amend section 1 of the bill in the paragraph "For public works division of department of public works and highways:" by striking out all after the word "highways:" and inserting in place thereof the following:

Personal services	$61,730.00	
Current expenses	8,900.00	
Travel	4,600.00	
Equipment	3,285.00	
Total	$78,515.00	
Less estimated revenue from direct and overhead charges to projects	46,265.00	
Net appropriation		$32,250.00

Further amend section 1 of the bill by striking out the last line of the section "Total net appropriation $14,573,449.-49" and inserting in place thereof the following: Total net appropriation $14,501,817.49.

Amend said bill by inserting after section 2 the following new sections:

3. *Computation of Mileage.* In the computation of reimbursement for mileage travelled by members of the legislative council, or of special committees or commissions created by the 1953 legislature where reimbursement for expenses is provided for, the rate of eight cents per mile shall be used.

4. *Lobster and Crab Fund.* There is hereby appropriated the sum of four thousand dollars for the fiscal year ending June 30, 1954, and a like sum for the fiscal year ending June 30, 1955, for the separate fund provided for the administration of laws relative to lobsters and crabs as set forth in section 56-a, chapter 245, Revised Laws, as inserted by section 1, chapter 134, Laws of 1953. The governor is authorized to draw his warrants for the sums hereby appropriated and the same shall be a charge on the general funds. The appropriations made hereby shall not lapse but shall be used for the administration of the laws relative to lobsters and crabs, by the fish and game commission.

5. *Appropriation for Legislature.* The supplemental appropriation made for the legislature under the provisions of section 2, chapter 212 of the Laws of 1953, shall be a continuing appropriation which shall not lapse.

Further amend said bill by renumbering section 3 to read section 6.

On motion of Mr. McMeekin of Haverhill the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 443, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1955.

Amend section 1 of the bill by striking out after the words "to wit:" the paragraph, "A continuing appropriation which shall not lapse, shall not be transferred to any department, institution or account, and which shall be for the expenses of the legislature, including $24,220.00 for the office of legislative assistant to the appropriations and finance committees, as provided by sections 33-37, chapter 9 of the Revised Laws, as inserted by chapter 10, Laws of 1953.

(Salary of assistant $7,500., deputy assistant $4,500., other personal services $10,470., current expenses $850., travel $800., equipment $100.)	$275,000.00
Council of state governments	2,000.00
Legislative council	3,000.00
Total for legislative branch	$280,000.00"

and inserting in place thereof the following new paragraph:

A continuing appropriation which shall not lapse, shall not be transferred to any department, institution or account, and which shall be for the expense of the legislature, including $29,950.00 for the office of legislative assistant to the appropriations and finance committees, as provided by section 33-37, chapter 9 of the Revised Laws, as inserted by chapter 10, Laws of 1953.

(Salary of assistant $8,500., deputy assistant $5,000., other personal services $14,700.00., current expenses $850., travel $800., equipment $100.)	$279,230.00
Council of state governments	2,000.00
Legislative council	3,000.00
Total for legislative branch	$284,230.00

Amend section 1 of the bill in the appropriation "For

administration and control:" by striking out in the paragraph "Division of budget and control:" the words and figures "Other personal services 9,900.00" and inserting in place thereof the words and figures, Other personal services 5,760.00; by striking out the words and figures "Total $57,240.00" and inserting in place thereof the words and figures, Total $53,010.-00.

Further amend said appropriation "For administration and control:" by striking out in the paragraph "Division of personnel:" the words and figures "Other personal services 25,591.04" and inserting in place thereof the words and figures, Other personal services 29,101.04; by striking out the words and figures "Total 34,666.04" and inserting in place thereof the words and figures Total 38,176.04.

Further amend said paragraph "For administration and control:" by striking out the words and figures, "Total for administration and control $404,591.14" and inserting in place thereof the words and figures, Total for administration and control $403,871.14.

Amend section 1 of the bill in the appropriation "For department of agriculture:" under the item "Division of markets and standards:", by striking out the words and figures "†Less estimated revenue 4,000.00" and inserting in place thereof the words and figures †Less estimated and balance 4,000.00.

Further amend section 1 of the bill in the appropriation "For department of agriculture:" under the item "Farm products inspection fund:" by striking out the words and figures "** Less estimated revenue 800.00" and inserting in place thereof the words and figures ** Less estimated revenue and balance 800.00.

Amend section 1 of the bill under the appropriation "For state treasury:" by striking out the words and figures "Other personal services 52,321.17" and inserting in place thereof the words and figures, Other personal services 50,821.17. Further amend said appropriation "For state treasury:" by inserting after the words and figures "Equipment 500.00." a new item —

Other expenditures

Audit 1,500.00

*The legislative budget assistant shall designate a certified public accountant, not employed in state service, to make the annual audit of the state treasury and said legislative budget

assistant may accept the findings and report of said certified public accountant as fulfilling the provisions of section 12a, chapter 23, of the Revised Laws, whereby the said legislative budget assistant is required to audit the accounts of the state treasurer.

Amend section 1 of the bill in the appropriation "For state treasurer:" by striking out the words and figures "Trust funds 37,087.27", and inserting in place thereof the words and figures Trust funds 37,095.27. Further amend said appropriation by striking out the words and figures "Total for state treasurer $119,393.94", and inserting in place thereof the words and figures Total for state treasurer $119,401.94.

Amend section 1 of the bill in the paragraph "For public works division of department of public works and highways:" by striking out all after the word "highway:" and inserting in place thereof the following:

Personal services	$63,030.00	
Current expenses	8,900.00	
Travel	4,600.00	
Equipment	2,905.00	
Total	$79,435.00	
Less estimated revenue from direct and overhead charges to projects	47,185.00	
Net appropriation		$32,250.00

Further amend section 1 of the bill by striking out the last line of the section "Total net appropriation $14,621,755.59" and inserting in place thereof the following: Total net appropriation $14,629,273.59.

The question being on the amendment sent down from the Honorable Senate.

(Discussion Ensued)

Messrs. McMeekin of Haverhill and Pillsbury of Manchester spoke in favor of the amendment.

Messrs. Ferguson of Pittsfield and Baron of Claremont spoke against the amendment.

Mr. Jones of Lebanon demanded the yeas and nays but subsequently withdrew his demand.

Mr. McMeekin of Haverhill called for a division.

A division being had 248 members having voted in the

affirmative and 10 members having voted in the negative the House voted to concur in the Senate amendments.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 306, An Act relative to the local option question as to sale of beer in cities and towns.

Amend the bill by inserting after section 2 the following new sections:

3. Amend chapter 170 of the Revised Laws by inserting after section 42 thereof the following new section: 42-A. *Prohibited Advertising.* No holder of a manufacturer's permit, wholesaler's permit, solicitor's permit or a certificate of approval shall advertise in any manner or form, and no liquor or beverages shall be advertised, either directly or indirectly, in any booklet, program, program book, year book, magazine, newspaper, periodical, brochure, circular or other similar publication published by, for or in behalf of any religious, fraternal, educational, patriotic, social or civic group, or any on-sale or off-sale permittee or any group thereof, nor shall any holder of a manufacturer's permit, wholesaler's permit, solicitor's permit or a certificate of approval through any control, ownership, interlocking ownership, interlocking directors, or otherwise, advertise or cause any manner or form of advertising to be inserted in such publications.

4. Amend section 76 of chapter 170 of the Revised Laws by striking out the same and inserting in place thereof the following section: 76. *Prohibited Interests.* No holder of a manufacturer's permit, wholesaler's permit, solicitor's permit or a certificate of approval shall sell, cause to be sold, rent, lend or cause to be loaned, or give to any on-sale or off-sale permittee or to the owner of the premises on which the business of any on-sale or off-sale permittee is to be conducted any money, equipment, furniture, fixtures or property with which the business of any on-sale or off-sale permittee is to be conducted, nor shall any on-sale or off-sale permittee purchase, cause to be purchased, rent, borrow, solicit or accept from any holder of a manufacturer's permit, wholesaler's permit, solicitor's permit or a certificate of approval any money, equipment, furniture, fixtures or property with which the business of the on-sale or off-sale permittee is to be conducted, nor shall any holder of a manufacturer's permit, wholesaler's permit, solicitor's permit or a certificate of approval install or service equip-

ment, furniture, fixtures or property of any on-sale or off-sale permittee, except as may be designated by the commission. No person shall directly or indirectly hold more than two off-sale permits at one time and no holder of an on-sale or off-sale permit shall have in his employ, in any capacity, any person who is the holder of any permit provided by this chapter. No holder of a manufacturer's permit, wholesaler's permit, solicitor's permit or a certificate of approval shall, in any wise, contribute or pay any money or anything in lieu thereof to any on-sale or off-sale permittee, his agent, his employees, or to any group, association or organization thereof. Nothing in this section shall prohibit any permittee from being a member of a club holding a permit or license under this chapter, nor prohibit the sale or purchase, for resale, of merchandise or beverages for the conduct of the business of any on-sale or off-sale permittee.

Further amend the bill by renumbering section 3 to read section 5.

On motion of Mr. Foote of Portsmouth the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 344, An Act relating to the minimum wage law.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Minimum Wages.* Amend sections 25 and 26 of chapter 213, Revised Laws, as inserted by chapter 310, Laws of 1949, by striking out said sections and inserting in place thereof the following: 26. *Limitations.* No person, firm or corporation shall employ any employee at a rate of less than sixty cents per hour, provided that this limitation shall not apply to employees engaged in household labor, domestic labor, farm labor, outside salesmen, summer camps for minors, restaurants, hotels, inns and cabins; and provided this limitation shall not apply to employees engaged as newsboys or golf caddies. Further provided that no person, firm or corporation shall employ any employee as usher at a theatre or pin boy at a bowling alley, at a rate of less than fifty cents per hour.

26. *Special Authorization in Certain Cases.* A person

with less than six month's experience in an occupation, or a person whose earning capacity is impaired by age, or physical or mental deficiency, may be paid not less than forty-five cents per hour upon application to and authorization from the commissioner of labor.

On motion of Mr. Comi of Concord the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 426, An Act establishing a commission to study the use of assigned television channels 11 and 41 for educational purposes.

Amend the bill by striking out in section 3, sub-section II the words and figures "11 and 41" so that said sub-section as amended shall read as follows:

II. The location and power of the two channels now assigned to New Hampshire by the F. C. C. in order to secure the best possible population coverage.

Further amend the bill by striking out in the title the words and figures "11 and 41" so that said title as amended shall read as follows: An Act establishing a commission to study the use of assigned television channels for educational purposes.

On motion of Mr. Young of Pittsfield the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 244, An Act relative to town records, personal property mortgages.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to town records, personal property mortgages, and interpreting the settlement law.

Amend said bill by inserting after section 2 the following new section:

3. *Interpretation of Settlement Law.* Amend chapter 125, Revised Laws, by adding after section 8 the following new section: 8-A. *Interpretation.* Nothing contained in the preceeding section shall be construed to deprive a person of his

settlement if he had one in the town, where such institution or establishment is located, immediately prior to his entering such institution or establishment.

Further amend said bill by renumbering section 3 to read section 4.

On motion of Mr. Rainie of Concord reading of the amendment was dispensed with.

On motion of Mrs. Richards of Exeter the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that:

The Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 366, An Act to lay out and construct a continuous highway on a new location across the southeast corner of the State of New Hampshire westerly of the present U. S. No. 1 and to extend said highway northwesterly towards the lakes and mountain regions.

Amend section 8 of said bill by striking out the twenty-sixth line and inserting in place thereof the following:

section 1 (m) of this act. During the construction of the turnpike the

Further amend said bill by renumbering section 11 to read section 2.

On motion of Mr. Spaulding of Hudson the House concurred in the adoption of the amendments proposed by the committee on engrossed bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 1, An Act to protect the revenue of the state. In Senate new draft and new title.

House Bill Read and Referred

House Bill No. 1 (In Senate new draft and with new title), An Act to protect the revenue of the State.

Read a first and second time and referred to the Committee on Executive Departments and Administration.

The message further announced that:

The Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 95, An Act to prevent destruction of fresh water supplies within the state; to prevent diversion of water supplies from their watersheds; and to require replacement of water resources destroyed by public takings.

Senate Bill Read and Referred

Senate Bill No. 95, An Act to prevent destruction of fresh water supplies within the state; to prevent diversion of water supplies from their watersheds; and to require replacement of water resources destroyed by public takings.

Read a first and second time and referred to the Committee on Resources, Recreation and Development.

Third Reading

On motion of Mr. Pillsbury of Manchester the rules were so far suspended as to allow the third reading of House Bill No. 400, An Act to create centralized registration of voters in the City of Concord, by title only, at the present time.

House Bill No. 400, An Act to create centralized registration of voters in the city of Concord, was read a third time and passed and was sent to the Senate for concurrence.

Recess

After Recess

The Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 218, An Act relative to salaries of court stenographers.

Amend section 1 of the bill by striking out in line 13 the words "three thousand six hundred dollars" and inserting in

place thereof the words, four thousand dollars, so that said section as amended shall read as follows: 1. *Court Stenographers.* Amend section 26 of chapter 395 of the Revised Laws as amended by section 1, chapter 176, Laws of 1947, section 1, chapter 95, Laws of 1949 and section 12, chapter 221, Laws of 1951 by striking out the words "three hundred" in the eighth line and inserting in place thereof the words, six hundred, so that said section as amended shall read as follows: 26. *Appointment.* The superior court, acting as a body, may appoint not more than seven official state court stenographers who shall report the proceedings of the superior court of any county to which they may from time to time be assigned by said court. Each court stenographer shall be sworn to the faithful discharge of his duties and shall receive from the state an annual salary of four thousand dollars. He shall take full notes of all oral testimony and other proceedings in the trial of causes either at law or in equity including the charge of the justice in all trials before a jury and all comments and rulings of said justice in the presence of the jury during the progress of the trial as well as all statements and arguments of counsel to the court, and during the trial shall furnish for the use of the court or either of the parties a transcript of so much of his notes as the presiding justice may direct. He shall also furnish a transcript of so much of the evidence and other proceedings taken by him as either party to the trial may require, on payment therefor by such party at the rate fixed by the court as provided in section 29.

On motion of Mr. Wells of Newton the House non-concurred in the adoption of the amendments sent down from the Honorable Senate and a Committee of Conference was appointed.

The Speaker appointed as members of such committee on the part of the House Mr. Wells of Newton, Mrs. Cooper of Nashua, and Mr. Eastman of Kensington.

House Bill No. 158, An Act relating to the registration of pleasure type motor vehicles.

Amend section 1 of said bill by striking out the words, "eleven dollars and fifty cents" in the sixth and seventh lines, and inserting in place thereof the words, twelve dollars; by striking out the words "fifteen dollars and fifty cents" in the eighth line and inserting in place thereof the words, sixteen dollars; by striking out the words "nineteen dollars and fifty

cents" in the ninth line and inserting in place thereof the words, twenty dollars and by striking out the words "twenty four dollars and fifty cents" in the tenth line and inserting in place thereof the words, twenty five dollars, so that said section as amended shall read as follows: 1. *Pleasure Cars.* Amend section 1 of chapter 118 of the Revised Laws as amended by chapter 48 of the Laws of 1945, section 2, chapter 107, section 7, chapter 177 and section 1, chapter 273 of the Laws of 1947 by inserting after paragraph II the following new paragraph: II-a. For every motor vehicle of the pleasure-car type not used commercially, the following rates based on the gross weight of the vehicle and load: All such vehicles and load not exceeding thirty-five hundred pounds, twelve dollars: exceeding thirty-five hundred and not exceeding forty-two hundred pounds, sixteen dollars; exceeding forty-two hundred and not exceeding five thousand pounds, twenty dollars; exceeding five thousand and not exceeding six thousand pounds, twenty-five dollars; exceeding six thousand and not exceeding eight thousand pounds, fifty cents per hundred pounds; exceeding eight thousand pounds, sixty cents per hundred pounds.

Amend said bill by inserting after section 1 the following new sections:

2. *Antique Motor Cars.* Amend section 1 of chapter 118 of the Revised Laws by inserting after paragraph XIV as inserted by section 2, chapter 144 of the Laws of 1951 the following new paragraph: XV. For antique motor cars five dollars. The provisions of paragraph III hereof, shall not apply to an antique motor car.

3. *Motor Vehicle Definition.* Amend section 1 of chapter 115 of the Revised Laws by inserting after paragraph XXXIV the following new paragraph. XXXV. "Antique motor car" is any motor vehicle over twenty-five years old which is maintained solely for use in exhibitions, club activities, parades and other functions of public interest and which is not used primarily for the transportation of passengers or goods.

4. *Student Driver Training Vehicles*

Amend section 11, chapter 118, Revised Laws, as amended by chapter 84, Laws of 1947, by striking out said section and inserting in place thereof the following: 11. *Public Ownership.* Motor Vehicles owned and operated by the state, or by any county, city, town, or school district, or by any volunteer fire

department, or by any public or private educational institution for the purpose of student driver training, shall be exempt from registration fees but shall be registered as any other motor vehicles are.

5. *Commissioner of Motor Vehicles.*

Amend section 11-a, chapter 118, Revised Laws, as inserted by chapter 4, Laws of 1945, by striking out the words "or town" in the fifth line and inserting in place thereof the words, town, school district, volunteer fire department, or public or private educational institution used for the purpose of student driver training, so that said section as amended shall read as follows: 11-a. *Rules and Regulations.* The commissioner of motor vehicles shall have the authority to prescribe special rules and regulations relative to registration of motor vehicles owned and operated by the government of the United States, the state, or by any county, city, town, school district, volunteer fire department, or public or private educational institution used for the purpose of student driver training, and may issue permanent number plates for such vehicles. Said vehicles displaying said number plates shall be deemed to be properly registered under the provisions of this title and may be operated upon the highways of the state without further registration or subsequent number plates.

Further amend said bill by renumbering section 2 to read section 6.

On motion of Mr. Whittier of Bethlehem reading of the amendment was dispensed with.

On motion of Mr. Whittier of Bethlehem the House nonconcurred in the adoption of the amendments sent down from the Honorable Senate, and a committee of conference was appointed.

The Speaker appointed as members of such committee on the part of the House Mrs. Maynard of Fitzwilliam, Mr. Blanchard of Farmington and Mr. Stone of Claremont.

House Bill No. 415, An Act relative to the highway commission of the city of Manchester and union bargaining agencies.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1. *City of Manchester.* The highway commission of the city of Manchester may recognize and deal with members of

a union or association who are employees of the highway department of the city of Manchester and recognize such union or association as a collective bargaining agency of said highway department in all matters relating to labor. Provided, however, that any agreement must include a provision that there shall be no strikes, lockouts or stoppage of work.

On motion of Mr. Danforth of Manchester the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 4, An Act establishing the municipal finance act.

Amend section 8 of the bill by striking out said section and inserting in place thereof the following: 8. *Town or District Bonds or Notes.* Except as otherwise specifically provided by law, the issue of bonds or notes by any municipal corporation, except a city, shall be authorized by a vote of two thirds, and the issue of tax anticipation notes, by a vote of a majority, of all the voters present and voting at an annual or special meeting of such corporation, called for the purpose; provided, however, that no such action taken at any special meeting shall be valid unless a majority of all the legal voters are present and vote thereat, unless the governing board of any municipality shall petition the superior court for permission to hold an emergency, special meeting, which, if granted, shall give said special meeting, the same authority as an annual meeting and provided further that the wararnt for such special meeting shall be published once in a newspaper having a general circulation in the municipality within one week after the posting thereof. The wararnt for any such annual or special meeting shall be served or posted at least fourteen days before the date thereof. Every warrant shall be deemed to have been duly served or posted, if the return thereon shall so state, and it shall be certified by the officer or officers required to serve or post the same. All bonds or notes, authorized in accordance with this chapter, shall be signed by the governing board, or a majority thereof, and countersigned by the treasurer of the municipality, and shall have the corporate seal, if any, affixed thereto. The discretion of fixing the date, maturities, denominations, the interest rate, or discount rate in the

case of notes, the place of payment, the form and other details of said bonds or notes, and of providing for the sale thereof, may be delegated to the governing board or to the treasurer and shall, to the extent provision therefor shall not have been made in the vote authorizing the same, be deemed to have been delegated to the governing board.

Further amend the bill by adding at the end of section 11 the following: The provisions of this section shall not apply to bonds or notes issued to secure a principal sum of seventeen thousand dollars or less when the bonds or notes are payable over a period not exceeding five years from the date of issue; so that said section as amended shall read as follows: 11. *Authentication of Bonds.* All bonds issued under authority of this chapter shall bear an authenticating certificate signed by an authorized officer of a bank or trust company doing business in the state of New Hampshire or in the Commonwealth of Massachusetts, or by a member of the state tax commission. The authenticating certificate endorsed upon such bond shall identify such bond as being one of the particular issue described therein, shall certify the genuineness of the signatures and the seal, if any, thereto affixed and shall state the name of the attorney or attorneys who rendered an opinion approving the legality of such issue. A signed copy of such legal opinion shall be furnished to the state tax commission within ten days after the bonds are delivered to the purchased thereof. The provisions of this section shall not apply to bonds or notes issued to secure a principal sum of seventeen thousand dollars or less when the bonds or notes are payable over a period not exceeding five years from the date of issue.

Further amend the bill by adding at the end of section 2 the following: Chapter 9, Laws of 1953, shall not be deemed repealed by this act.

On motion of Mr. Eldredge of Exeter reading of the amendment was dispensed with.

On motion of Mr. Eldredge of Exeter the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that:

The Senate had voted to concur with the House of Rep-

resentatives in its amendments to the following entitled bill:

Senate Bill No. 96, An Act to raise the minimum required age for school attendance to sixteen years.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 304, An Act relative to increasing sheriffs fees and increasing the salary of the sheriff of Hillsborough County.

House Bill No. 336, (in new draft), An Act relative to developments of navigable waters and harbors.

House Bill No. 374, An Act relative to ward lines of the City of Berlin.

House Bill No. 420, An Act to provide for a revision of the public laws.

House Bill No. 444, An Act relative to the division of accounts.

House Joint Resolution No. 24, Joint Resolution relative to a study of sports activities in the Mount Washington, Pinkham and Crawford Notch areas.

The message further announced that:

The Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

Senate Bill No. 70, An Act relative to civil defense agency.

The message further announced that:

The Senate had voted that House Bill No. 84, An Act relative to qualifications for registration as legislative counsel, be referred to the Judicial Council.

The message further announced that:

The Senate had voted to refer the following entitled bill; House Bill No. 242, An Act relating to the modification of the mileage table for legislators, to the Legislative Council.

The message further announced that:

The Senate had voted to adopt the report of the Committee of Conference on House Bill No. 338, An Act relative to cooperative school districts.

The message also announced that:

The Senate concurs with the House of Representatives in the passage of the following concurrent resolution, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

Whereas, on Monday, June 1, 1953, information was released by the Portsmouth Naval Base and Shipyard that 200 men are expected to be laid off by July 1, 1953 and 1,400 more by January 1, 1954 and

Whereas, employment from many parts of the state will be affected by this lay-off, financially and morally,

Now Therefore Be It Resolved by the Senate and House of Representatives in General Court convened:

That, mindful of the necessity of economy in government and aware that reductions in personnel will result, we hereby petition our senators and representatives in the Congress of the United States to use all honorable means within their power to have work, for which plans have already been projected and funds provided, scheduled for the Portsmouth Naval Base.

Resolved, that a copy of these Resolutions be transmitted by the Secretary of State to the Senators and Representatives in Congress from the State of New Hampshire for their immediate action.

On motion of Mrs. Hundley of Portsmouth the House concurred in the adoption of the amendments sent down from the Honorable Senate.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

Afternoon

The House was immediately called to order in afternoon session.

Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow the third readings of bills be by their titles only.

Third Readings

House Bill No. 438, An Act relating to the appropriation for the Timber Tax Reimbursement Fund.

Read a third time and passed and sent to the Senate for concurrence.

Reconsideration

Mr. Scamman of Stratham moved that the House reconsider its vote whereby it passed House Bill No. 438.

On a *viva voce* vote the motion to reconsider did not prevail.

On motion of Mrs. Corliss of Manchester at 3:11 o'clock the House adjourned.

WEDNESDAY, JUNE 10, 1953

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Rev. Clifton D. Gray, Jr., Minister of the First Baptist Church in Manchester.

O Thou who hast been the God of our fathers and of our father's fathers and who shalt be the God of our children and of our children's children, grant us, we beseech Thee, as we gather in this chamber a sense of Thy presence among us and of our obligations toward Thee and our fellow men. Deliver us from smallness of mind and pettiness of spirit; enlarge the vision of our minds; imbue us with a broad charity of spirit for the failures of humanity. So fill us with a deep and abiding love of state and nation that all that we do here may reflect Thine indwellingness. May this prayer, and all the unuttered prayers of our hearts, be found acceptable in Thy sight. O Lord, our strength and our Redeemer. *Amen.*

Leaves of Absence

Messrs. Karagianis of Laconia and Barton of Keene were granted leave of absence for the day on account of important business.

Report of Committee on Engrossed Bills

Mrs. Landers of Keene for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled Senate and House Bills:

Senate Bill No. 57, An Act relative to the construction of dormitories at Keene teachers college and New Hampshire university, to be liquidated from income.

House Bill No. 130, An Act relative to making appropriations for and on behalf of the New Hampshire Wing, civil air patrol.

House Bill No. 430, An Act establishing a council on mental health.

House Bill No. 445, An Act relating to obscene literature, pictures and articles.

House Bill No. 446, An Act relative to transfer of certain inmates of Laconia State School.

House Joint Resolution No. 24, Joint Resolution relative to a study of sports activities in the Mount Washington, Pinkham and Crawford Notch areas.

House Bill No. 336, An Act relative to development of navigable tidal waters and harbors.

House Bill No. 420, An Act to provide for a revision of the public laws.

House Bill No. 444, An Act relative to the division of accounts.

Senate Bill No. 70, An Act relative to civil defense agency.

Senate Bill No. 96, An Act to raise the minimum required age for school attendance to sixteen years.

House Bill No. 374, An Act relative to ward lines for the city of Berlin.

The report was accepted.

Committee Reports

Mr. Rainie of Concord for the Committee on Executive Departments and Administration to whom was referred House Bill No. 371, An Act relative to mileage rate to Warner, New Hampshire. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to the computation of mileage allowances for legislative members from certain towns.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1. *Changes in Mileage.* The following changes shall be made in chapter 301 of the Laws of 1949 with relation to mileage allowances:

I. Rockingham county, Northwood ..... 23 miles
II. Carroll county, Ossipee ..... 76 miles
III. Merrimack county, Warner ..... 28 miles
Concord, Ward 8 ..... 4 miles
IV. Grafton county, Easton ..... 100 miles

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Brown of Strafford for the Committee on Judiciary to whom was referred Senate Bill No. 9, An Act relative to fees of registers of deeds. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words "town clerk" in the third line so that said section as amended shall read as follows:

1. *Fees.* Amend section 15 of Chapter 49 of the Revised Laws by striking out said section and inserting in place thereof the following: 15. *Fees.* Registers of deeds and all other recording and certifying officers, except as otherwise specially provided, shall be entitled to the following fees:

For recording or copying each page of two hundred and twenty-four words, fifty cents; provided that if the deed or other paper contains the names of more than one grantor and one grantee, an additional fee of twenty cents shall be charged for indexing the names of each additional grantor or grantee.

For every certificate sixty-five cents; for examining the records at the request of any person, one dollar for each hour spent therein, for discharging a mortgage on the margin of the record, or for recording an assignment thereof, sixty-five cents; for each transfer furnished pursuant to sections 12 and 13 twenty cents.

The report was accepted.

On motion of Mr. Wells of Newton reading of the amendment was dispensed with.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Healy of Manchester, Ward 6, for the Committee on Judiciary to whom was referred Senate Bill No. 13, An Act relative to salaries of judges of probate and to annual reports

of county officials. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 of said bill by inserting after the word "thereunder" in the fifth line the words, without just or reasonable cause, so that said section as amended shall read as follows:

2. *Annual Reports Required.* Amend chapter 50 of the Revised Laws by inserting after section 5, as inserted by chapter 65, Laws of 1951, the following new section: 6. Whoever fails to file the report required by section 5, or neglects or refuses to itemize the statement as required thereunder, without just or reasonable cause, shall be fined five dollars for each day in default, said fine to be paid to the treasurer of the county of which said person is an official.

The report was accepted.

On motion of Mr. Wells of Newton reading of the amendment was dispensed with.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

On motion of Mr. Rainie of Concord the rules were suspended to allow for the presentation of a commitee report which had not previously been advertised in the Journal.

On motion of the same member the rules were further suspended to dispense with Rule 47.

Mr. Powell of Sutton for the Committee on Executive Departments and Administration to whom was referred House Bill No. 1 (in new draft and new title), An Act to protect the revenue of the state. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Taken from Table

House Bill No. 72, An Act relative to procedure to be followed in state construction contracts and as to authority of public works and highways department.

The question being on the amendment, as printed in the Journal of June 3.

On a *viva voce* vote the amendment was adopted.

Mr. Perkins of Alton offered the following amendment:

Amend said bill by striking out all after the enacting clause and insert in place the following:

1. Amend paragraphs I and II of section 13 of chapter 90-A of the Revised Laws as inserted by Part 9 of chapter 5, Laws of 1950, by striking out said paragraphs and inserting in place, thereof, the following:

I. It is hereby declared to be the policy of the state that major state projects, except normal highway and bridge maintenance and betterments, state aided town roads and bridges, and state aid road and state aid bridge projects, where federal funds are not involved; maintenance and betterments on fixed plants or buildings, the estimated cost of which is $5000 or less; and such projects, with the approval of the governor and council, as may be executed under chapter 266 of the Revised Laws, as amended, when financed either (a) by the use of not exceeding $5,000 appropriated by the legislature, and (b) by use of funds obtained through the sale of revenue bonds or by use of funds obtained from a source other than an appropriation by the legislature or by both (a) and (b), shall be built by the contract method under competitive bidding, and that independent registered professional architects or registered professional engineers shall be employed for the construction, maintenance and betterments on fixed plants or buildings whose cost exceed $25,000. It is further declared to be the policy of the state that all awards under such competitive bidding shall be to the lowest responsible bidder. It is further declared to be the policy of the state that state contract construction shall not be performed on the basis of a cost-plus contract, so-called. Projects not in excess of $10,000 may be done on a force account basis upon the recommendation of the commissioner with the approval of the governor and council and it is further provided, that in an emergency, such sum may be exceeded upon the recommendation of the commissioner with the approval of the governor and council.

II. No state contract construction exceeding one thousand dollars for any individual project shall be awarded to any independent contractor except under conditions of competitive bidding and as hereinafter provided. Within thirty days from the date of opening bids, the commissioner, if in his opinion the bid of the lowest bidder should be accepted, shall prepare a contract of acceptance of such lowest bid which he shall

execute in the name of the state and upon execution thereof by the lowest bidder and after approval thereof by the attorney general as to form, and of the comptroller as to availability of funds, he shall transmit said contract to the governor and council for approval and upon approval thereof by the governor and council, it shall become a valid contract of the state. In any case under competitive bidding where for just cause shown the lowest bid submitted should be rejected, the commissioner shall transmit promptly to the governor and council a recommendation for such rejection stating his reasons therefor. The governor and council shall thereupon review such recommendation and any other facts available to them, requiring a public hearing upon request of any bidder or on their own motion to fully establish such facts, and make such determination as in their judgment shall be for the best interests of the state. Such determination shall be entered upon the records of the secretary of state. The state reserves the right to reject any and all bids or to negotiate with the lowest responsible bidder. If not more than one bid is received on any state project advertised for contract construction, the commissioner subject to the approval of the governor and council may negotiate a contract for such construction upon terms which he may deem most advantageous to the state. Provided, however, that as to projects built with federal aid, if any provision of this section is inconsistent with the requirements of applicable federal law and regulations, the latter shall control.

2. Amend paragraph II of section 14 of said chapter 90-A by striking out said paragraph and inserting in place thereof the following:

II. The performance of contracts for all state projects having cost in excess of $5,000 shall be inspected to assure compliance with the plans and specifications and the department shall require inspection service to be rendered by one of the following methods: (a) by the supervising architect or supervising engineer or his representative, (b) by qualified personnel of the state agency, institution or department concerned (c) by personnel of the public works and highways department. Prior to the execution of a contract for a state project the department shall notify the state agency, institution or department concerned which method of inspection shall be followed. An authorized agent of the department shall give to the using agency or institution signed written statements

periodically that the contract is being executed according to specifications and, at the end, that the project has been completed in accordance with the specification. Manifests for such payments are to be made and signed by the using agency, department or institution. Manifests for final payment shall certify that inspections have been carried out, that the project has been completed in accordance with the specifications and contract and that it has been accepted. Such manifests shall be certified by the department that the progress reports furnished by the department are correct and that inspections have been made and the provisions of the plans and specifications have been carried out.

3. Amend section 26 of chapter 264 of the Revised Laws as amended by section 1 of chapter 182 of the Laws of 1943 and section 1 of chapter 71 of the Laws of 1949 by striking out the word "eighty" in the twelfth line and inserting in place thereof the words, one hundred, so that said section as amended shall read as follows: 26. *Bond Required.* Officers, public boards, agents or other persons who contract in behalf of the state or any political subdivision thereof for the construction, repair or rebuilding of public buildings, public highways, bridges or other public works shall if said contract involves an expenditure of ten thousand dollars, and may if it involves an expenditure of less amount, obtain as a condition precedent to the execution of the contract, sufficient security by bond or otherwise, in an amount equal to at least one hundred per cent of the contract price, or of the estimated cost of the work if no aggregate price is agreed upon, conditioned upon the payment by the contractors and subcontractors for all labor performed or furnished, for all equipment hired, including trucks, for all material used and for fuels, lubricants, power, tools, hardware and supplies purchased by said principal and used in carrying out said contract, and for labor and parts furnished upon the order of said contractor for the repair of equipment used in carrying out said contract. Said bond shall be negotiated for, procured from and the premium therefor paid to a resident agent of an insurance company registered and licensed to do business in this state. No such insurance company or resident agent, personally or by another, shall allow, give or pay, directly or indirectly, to any non-resident agent or non-resident broker any part of the commission on the sale of said bond. The insurance commissioner may sus-

pend or revoke the license of any resident agent or insurance company violating the provisions hereof.

4. Amend section 5-a of chapter 22 of the Revised Laws, as inserted by section 2 of chapter 21 of the Laws of 1943, as amended by section 2, of chapter 252 of the Laws of 1951, by striking out said section and inserting in place thereof the following: 5-a. *Purposes.* The governor is hereby authorized to draw his warrant with the advice and consent of the Council, upon any money in the general fund of the treasury, for departments other than public works and highways or fish and game, for such sums to be set apart from time to time to the credit of the state treasurer as a working capital fund as may appear to the governor and council necessary and proper upon recommendation of the comptroller for such of the following purposes as the governor and council may direct. The prompt payment of bills for materials, equipment and supplies purchased upon purchase orders issued by the director of purchase and property and bills incurred for liquor purchased by the state liquor commissioner under the provisions of chapter 170, Revised Laws, as amended, on which discounts are available upon such prompt payment; properly certified partial payments on contracts; the payment of bills for postage stamps; the payment of salaries and expenses of officers and of persons employed in the state service, as determined on pay rolls certified by the heads of the said departments, institutions, or agencies or their duly authorized deputies; and any payment of direct aid to welfare recipients under programs administered by the department of public welfare. The governor is likewise (for working capital) hereby authorized to draw his warrant, with the advice and consent of the council, upon any money in the highway fund for the following expenditures for the public works and highways department, or upon any money in the fish and game fund for the following expenditures for the fish and game department. The prompt payment of bills for materials, equipment and supplies purchased upon purchase orders issued by the director of purchase and property on which discounts are available upon such prompt payment; for the payment of bills for postage stamps, the payment of salaries and expenses of officers and of persons employed in the state service for the respective departments, properly certified partial payments on contracts, as determined and certified as above provided. No

other payments shall be made from said working capitals except as provided for herein. This section shall not authorize the manifesting, approval, or payment of any claim in excess of appropriations or for the purposes for which appropriations do not exist. A warrant duly executed under this section shall be a sufficient warrant under section 9 of chapter 22 of the Revised Laws. The state treasurer is hereby authorized to reimburse the public works and highways department from working capital funds for any proper expenditures made by the department from its authorized revolving fund.

5. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Perkins of Alton reading of the amendment was dispensed with.

The question being on the amendment.

(Discussion Ensued)

Messrs. Perkins of Alton and Spaulding of Hudson spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

On motion of Mr. English of Hancock the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

On motion of the same member the rules were further suspended to dispense with Rule 47.

Mr. English of Hancock for the Committee on Resources, Recreation and Development to whom was referred Senate Bill No. 95, An Act to prevent destruction of fresh water supplies within the state; to prevent diversion of water supplies from their watersheds; and to require replacement of water resources destroyed by public takings. Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The question being on the recommendation of the committee.

(Discussion Ensued)

Messrs. English of Hancock and Foote of Portsmouth spoke in favor of the question.

Mr. Pillsbury of Manchester spoke against the motion.

Mr. Perley of Lebanon moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion Ensued)

Messrs. Perley of Lebanon and Spaulding of Hudson spoke in favor of the motion.

Mr. English of Hancock spoke against the motion.

On a *viva voce* vote the motion to indefinitely postpone prevailed.

Reconsideration

Mr. Wells of Newton moved that the House reconsider its vote whereby it ordered to a third reading Senate Bill No. 13, An Act relative to probate judges.

On a *viva voce* vote the motion prevailed.

The bill was then referred to the Committee on Appropriations under the rules.

Rule 47

On motion of Mr. McMeekin of Haverhill rule 47 was suspended and public hearing on Senate Bill No. 13 would be held Thursday morning at 10:00 o'clock.

Mr. Scamman of Stratham for the Committee on Appropriations to whom was referred Senate Bill No. 90, An Act increasing salaries of deputy registers of probate. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out all after the word "Belknap" in the eighth line and inserting in place thereof the following, and Grafton minimum $2300, maximum $2780; for said officers for the counties of Carroll, $1200, Cheshire, $1500, Sullivan, $1300, Coos, $1500; provided, however, that for the counties of Rockingham, Strafford, Grafton, Hillsborough, Merrimack and Belknap no money shall be paid to said officers for clerk hire under section 22 of chapter 347 of the Revised Laws. Effective July 1, 1953, whenever the new salary schedule as set forth heerin shall be in conflict with the present salaries now being received by said officers for the said counties, the said officer shall receive the salary in the next

range above their present rate or the minimum under this chapter, whichever is the higher.

so that said section as amended shall read as follows:

1. *County Probate Offices.* Amend section 21 of chapter 347 of the Revised Laws as amended by chapter 199 of the Laws of 1945 and section 1 of chapter 230 of the Laws of 1951, by striking out said section and inserting in place thereof the following: 21. *Salaries of Deputies.* The annual salaries for the deputy registers of probate shall be paid by the state and shall be as follows:

Deputy registers of probate for the counties of Rockingham, Hillsborough and Merrimack counties, minimum, $2,970, maximum $3,450; for said officers for the counties of Strafford, Belknap and Grafton, minimum, $2,300, maximum, $2,780; for said officers for the counties of Carroll, $1,200, Cheshire, $1,500, Sullivan, $1,300, Coos, $1,500; provided, however, that for the counties of Rockingham, Strafford, Grafton, Hillsborough, Merrimack and Belknap no money shall be paid to said officers for clerk hire under section 22 of chapter 347 of the Revised Laws. Effective July 1, 1953, whenever the new salary schedule as set forth herein shall be in conflict with the present salaries now being received by said officers for the said counties, the said officer shall receive the salary in the next range above their present rate or the minimum under this chapter, whichever is the higher.

Amend section 2 of the bill by striking out the words and figures "eleven thousand nine hundred and eighty dollars ($11,980)" in the third line and inserting in place thereof the words and figures, six thousand six hundred seventy dollars ($6,670) and by striking out the words and figures "thirteen thousand one hundred and eighty dollars ($13,180)" in the fifth line and inserting in place thereof the words and figures, seven thousand three hundred ninety dollars ($7,390) so that said section as amended shall read as follows:

2. *Appropriation.* In addition to the amounts provided in the appropriation bills for salaries of deputy registers of probate there is hereby appropriated the sum of six thousand six hundred seventy dollars ($6,670) for the fiscal year ending June 30, 1954, and there is hereby appropriated the sum of seven thousand three hundred ninety dollars ($7,390) for the fiscal year ending June 30, 1955, for the increases in salaries provided for by section 1 of this act.

The report was accepted.

The question being on the amendment.

(Discussion Ensued)

Mr. McMeekin of Haverhill and Mrs. Richards of Exeter spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Committee of Conference Report

The Committee of Conference to whom was referred House Bill No. 332, An Act providing for a special open season for taking elk, having considered the same, reported the same with the following recommendations: That the House recede from its position of non-concurrence, that the Senate recede from its position in adopting its amendments, and that the following amendments be adopted:

Amend section 1 by striking out the word "commissioner" in the first and fifth lines and inserting in place thereof the word, director; further amend by inserting after the word "relocate" in the second line the words, or destroy; by striking out the words "state of New Hampshire" in the second line and inserting in place thereof the words, town of Unity, and by adding at the end of said section the words, The provisions of this section shall not be deemed a limitation upon any of the powers of the Director granted in Title XX of the Revised Laws, so that said section as amended shall read as follows:

1. The Director of Fish and Game is authorized to capture, release, move and relocate or destroy any elk now at large in the town of Unity if in his judgment such elk are a menace to any form of agriculture while in their present range. The Director may designate any areas to which such transfer may be made and may draw on the department funds for the expense of such transfer. The provisions of this section shall not be deemed a limitation upon any of the powers of the Director granted in Title XX of the Revised Laws.

WARREN F. METCALF
E. EVERETT RHODES
MARGARET B. DELUDE
Conferees on the part of the House
PERLEY C. KNOX
A. HAROLD KENDALL
Conferees on the part of the Senate

Mr. Metcalf of Tilton moved that the report be agreed to. On a *viva voce* vote the report was agreed to.

Report concerning the administration and operation of the Old Age and Survivors Insurance program for public employees in New Hampshire.

The Commissioner of Public Welfare, designated as the State Agency, submits herewith to the 1953 Session of the Legislature of the State of New Hampshire, the first Biennial Report as required by Chapter 234 of the Laws of 1951.

In accordance with the authority of the above cited enabling act, an agreement between the state and federal government was executed on December 27, 1951 which extended the benefits of the Social Security Act to two political subdivisions of the state, the University of New Hampshire and the City of Franklin, which had already acted in accordance with New Hampshire laws. The agreement provided for the subsequent entry of any other political subdivisions of the state which voluntarily elected to cover its employees under the social security system.

The administration of the plan for coverage of state and local employees has no parallel in private industry because of the distinct character of governmental units. The provisions of the Social Security Act relating to coverage for such employees specify a voluntary agreement process between the state and federal government as a guarantee of state and local rights The same agreement process in the federal-state relationship is in effect between the state and its political subdivisions. Following the necessary legal action by a political subdivision, or governing body, approving the extension of the benefits of the Social Security Act to employees of the local government, the local officials and state agency execute an agreement which contains the mutual responsibilities accepted by each.

The master agreement between the federal government and the state must be modified to include any additional political subdivisions which take the necessary action outlined in Chapter 234. Before coverage becomes formally effective for any such political subdivision, a formal agreement must be executed and approved by the Commissioner on behalf of the state, by the Governor and Council, and by the official representative of the federal government.

The state agency acts as intermediary between the politi-

cal subdivisions and the Social Security Administration with regard to wage reports and contributions of the political subdivisions in the same manner as the Bureau of Internal Revenue acts with respect to private employers. All quarterly wage reports of the participating political subdivisions are verified by the state agency and re-forwarded with a recapitulation report to the Social Security Administration. All contributions are similarly re-forwarded through the Federal Reserve Bank to the Treasurer of the United States.

Immediately after enactment of Chapter 234, prompt action was taken by the state agency to set up policies, procedures, rules and regulations for the effective functioning of the program. Because of the variety of political subdivisions in the state, it was necessary to develop five different agreement forms for the use of the various political subdivisions. An educational program was launched to acquaint political subdivisions throughout the state with the action taken by the Legislature. Each political subdivision in the state was circularized with a copy of the law, an informational bulletin, manual of rules and regulations, and model articles for insertion in town and school district warrants for the guidance of local governing bodies.

As a result of this concerted effort, a number of political subdivisions took the necessary action at the next annual Town Meeting and the first modification of the Federal-State agreement was formally approved May 29, 1952 extending coverage to employees and officials of two housing authorities, one precinct, four school districts and twelve towns, in addition to the two political subdivisions already under the agreement. The real impetus to the program came shortly thereafter when, on October 17, 1952, Modification No. 2 was accepted covering four precincts, nine school districts and twenty-one towns.

As of the present time, the original agreement has been amended seven times, increasing membership from two to eighty-one, and the following tables provide statistics indicative of the growth of the program.

Figure 1.

Number of New Hampshire Political Subdivisions Participating in the Old Age and Survivors Insurance Program, by Quarters, December 1951 — March 1953.

Quarter Ended	*Number of Participating Political Subdivisions*
12-31-51	2
3-31-52	2
6-30-52	20
9-30-52	54
12-31-52	70
3-31-53	81

Figure 2.

Breakdown of Types of Political Subdivisions Under Old Age and Survivors Insurance Program

Type	*Total No. in State*	*No. Eligible for O.A.S.I*	*No. Under O.A.S.I.*
Counties	10	0	0
Cities	12	2	2
Towns	222	207	49
School Districts	235	170	22
Precincts	71	65	5
Other	7	7	3

Figure 3.

Number of New Hampshire Political Subdivisions Employees Covered Under Old Age and Survivors Insurance Program by Quarters, December 1951-March 1953.

Quarter Ended	*Number of Participating Employees*
12-31-51	428
3-31-52	509
6-30-52	1099
9-30-52	1165
12-31-52	2147
3-31-53	2015

In addition to the local governments which have come under the Old Age and Survivors Insurance program, inquiries were processed and acted upon as a result of contract from six other cities. five counties, twenty-one towns, thirty-five school districts and five other political subdivisions. Considerable interest was indicated by numerous specific coverage groups,

such as supervisory unions, extension service, elected state officials, clerks of court, registers of probate, school lunch program operators, in addition to individual employees of the state and its political subdivisions.

The first two political subdivisions in the state which came under the original agreement, the University of New Hampshire and the City of Franklin, covered, and reported wages for, 428 employees for the quarter ending December 31, 1951. Total wages subject to contribution amounted to $218,327.96 and the wage contribution collected totalled $6,549.82. From this modest beginning, the program has expanded to cover approximately 2,500 employees including those under agreements currently being processed. Wages subject to contribution for the quarter ending December 31, 1952 were in the amount of $549,843.63 on which the contribution collected was $16,436.20. The following tabulation illustrates this growth by quarters.

Figure 4.

Amount of Wage Contribution by Quarters
October 1951-March 1953

Quarter Ended	*Wage Subject to Contribution*	*Wage Contribution*
12-31-51	$218,327.96	$6,549.82
3-31-52	242,252.30	7,267.28
6-30-52	370,385.44	11,111.56
9-30-52	380,558.85	11,416.77
12-31-52	549,843.63	16,436.20
3-31-53	548,651.18	16,454.16

The operation of Chapter 234 has been satisfactory and no difficulties have been encountered which would require major change in legislation. The greatest area of concern has been technical problems regarding eligibility of particular employees which have necessitated considerable legal interpretation by state and federal authorities.

On the basis of our experience with the administration of the Old Age and Survivors Insurance program on behalf of political subdivisions of the state, we have recommended to this Legislature adoption of an amendment to liberalize Chapter 234 by permitting retroactive coverage for political sub-

divisions to the same degree that such retroactive coverage is permissible under the Social Security Act amendment.

Respectfully submitted,

JAMES J. BARRY, Commissioner
N. H. Dept. of Public Welfare

The report was accepted.

Memorial Services

MUSIC — AGNUS DEI — *Bizet*

ROLL CALL OF DEPARTED MEMBERS

IN MEMORIAM

NAME	RESIDENCE	DATE OF DEATH
PHILIP R. RILEY Elected but not sworn in	Manchester	December 20, 1952
DAVID M. HADLEY Elected but not sworn in	Dunbarton	January 7, 1953
LESLIE C. HILL	Conway	January 29, 1953
LLOYD FLINT	Milan	February 20, 1953
CHESTER W. FRENCH	Weare	March 12, 1953
HENRY M. MOFFETT	Berlin	May 25, 1953
WILLIAM B. CUSHING	Derry	June 1, 1953

SCRIPTURE LESSON

PRAYER

BENEDICTION

MUSIC — COME UNTO ME — *Scarlotti*

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate concurred with the House of Representatives in the passage of the following joint resolutions, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Joint Resolution No. 53, Joint Resolution in favor of Lloyd V. Sawyer of Concord, N. H.

Amend said resolution by striking out the caption and inserting in place thereof the following:

Joint Resolution relative to longevity for state employees and officials.

Amend said resolution by striking out all after the title and inserting in place thereof the following:

Resolved, by the Senate and the House of Representatives in General Court convened:

That, Any regular classified employee or any state official who was forced to leave the state service due to a reduction in force or at the request of a department head, to assist in the defense of our country, military or civilian, and who returned to state service when resuested to do so, upon the approval of the director of personnel may count the time employed before leaving as continuous service towards obtaining the benefits provided under section 3 and 4 of chapter 243, laws of 1947.

Mrs. Otis of Concord moved that the House non-concur in the Senate amendments and asked that a committee of conference be appointed.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of such committee on the part of the House Messrs. Rainie of Concord, Angus of Claremont, and Barry of Wilton.

Resolution

Mrs. St. Pierre of Rochester offered the following resolution:

Whereas, Placide J. Lagueux, Representative from Somersworth for this session and several past sessions, has been made Mayor of Somersworth, therefore be it

Resolved, That we, the Members of the House of Representatives, extend our hearty congratulations to our Fellow Member and wish him success in his new position, and be it further

Resolved, That the Clerk of the House transmit to Representative Lagueux a copy of these Resolutions.

On a *viva voce* vote the resolution was unanimously adopted.

Mr. McAllister of Barnstead offered the following resolution:

Whereas, Harry E. Little, former representative from Barnstead who also has served as Legislative Chaplain, has passed away, therefore be it

Resolved, That we, the Members of the House of Representatives, hereby extend our sympathy to his family in its bereavement, and be it further

Resolved, That the Clerk of the House transmit to the family a copy of these Resolutions.

On a *viva voce* vote the resolution was unanimously adopted.

On motion of Mr. McMeekin of Haverhill the rules were suspended to allow the third readings of bills, by title only, at the present time.

Third Readings

House Bill No. 1 (In Senate new draft and with new title), An Act to protect the revenue of the State.

House Bill No. 72, An Act relative to procedure to be followed in state construction contracts and as to authority of public works and highways department.

House Bill No. 371, An Act relative to the computation of mileage allowances for legislative members from certain towns.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 9, An Act relative to fees of registers of deeds.

Senate Bill No. 90, An Act increasing salaries of deputy registers of probate.

Severally read a third time and passed and sent to the Senate for concurrence in the amendment.

Recess

(After Recess)

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate concurred with the House of Representatives in the passage of the following joint resolutions, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Joint Resolution No. 52, Joint Resolution relating to the investigation of subversive activities.

Amend the last paragraph of said resolution by striking out the second sentence thereof and inserting in place thereof the following: There is hereby appropriated for the expenses of this investigation the sum of ten thousand dollars which shall include the cost of printing such report as is provided for by this resolution and shall be expended under the direction of the attorney general, but nothing herein contained shall limit the power of the attorney general to act in cases of reasonable necessity under the provisions of section 11 of chapter 24 of the Revised Laws, so that said paragraph shall read as follows:

The attorney general is directed to proceed with criminal prosecutions under the subversive activities act whenever evidence presented to him in the course of the investigation indicates violations thereof, and he shall report to the 1955 session on the first day of its regular session the results of this investigation, together with his recommendations, if any, for necessary legislation. There is hereby appropriated for the expenses of this investigation the sum of ten thousand dollars which shall include the cost of printing such report as is provided for by this resolution and shall be expended under the direction of the attorney general, but nothing herein contained shall limit the power of the attorney general to act in cases of reasonable necessity under the provisions of section 11 of chapter 24 of the Revised Laws. The governor is hereby authorized to draw his warrants for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

On motion of Mr. Pillsbury of Manchester the House

concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 316, An Act to provide more adequate accommodations on public recreational areas.

Amend section 1 of the bill by striking out all at the end of paragraph 1 and inserting in place thereof the following:

Franconia Notch	Cannon Mt. Ski Extension	$305,000
Franconia Notch	Tramway Sewerage System	50,000
Franconia Notch	Electric Power Cable	25,000
White Lake	Extension of Beach & Picnic Area, Construction of Vending Stand	12,000
Kingston	Combination Toilet and Dressing Building	10,000
Bear Brook	Toilet Building	10,000
Silver Lake	General Development Project	150,000
Franklin Pierce Homestead	Building Repairs & Landscaping	10,000
Mt. Sunapee	Ski Extension	150,000
Land Acquisition	Winnipesaukee and others	10,000
Surveys, Plans, Estimates, etc.	Monadnock, Winnipesaukee, Crawford, etc.	15,000
	Total Cost to Construct	$747,000

Further amend the bill by striking out in Section 3 the words "six hundred and forty-seven" in the first and second lines and inserting in place thereof the words, seven hundred and forty-seven, so that said section as amended shall read as follows: 3. *Appropriations.* A sum not exceeding seven hundred and forty-seven thousand dollars is hereby appropriated for projects authorized under section 1 as may be approved by the governor and council.

Amend section 4 by striking out in line 4 the words "six hundred and forty-seven" and inserting in place thereof the words, seven hundred and forty-seven, so that said section as amended shall read as follows:

4. *Bonds or Notes Authorized.* For the purpose of providing funds necessary for the appropriation made by section 3 the state treasurer is hereby authorized, under the direction of the governor and council, to borrow on the credit of the

state from time to time a total of seven hundred and forty-seven thousand dollars for the purpose of carrying into effect the provisions hereof and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council. The maturity dates of such bonds or notes shall be determined in each case by the governor and council but in no case shall they be later than 1968. All bonds or notes, except short-term loans, issued under the provisions hereof shall be sold (1) at public sealed bidding (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire, the first publication being not less than thirty days prior to the day the bids will be received, and (3) to the highest bidder. The governor and council may reject any or all bids.

Further amend the bill by striking out in section 6 in the last line the words "six hundred and forty-seven" and inserting in place thereof the words, seven hundred and forty-seven, so that said section shall read as follows:

6. *Short-term Loans.* Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short-term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no one time shall the indebtedness of the state on such short-term loans exceed the sum of seven hundred and forty-seven thousand dollars.

On motion of Mr. English of Hancock reading of the amendment was dispensed with.

Mr. English of Hancock moved that the House concur in the amendments sent down from the Honorable Senate but subsequently withdrew his motion.

The same member moved that the House non-concur in the amendments sent down from the Honorable Senate and asked that a committee of conference be appointed.

The question being on the motion.

(Discussion Ensued)

Mr. Washburn of Bartlett spoke in favor of the motion.

Messrs. McMeekin of Haverhill and Spaulding of Hud-

son and Mrs. Funkhouser of Durham spoke against the motion.

Mr. McMeekin of Haverhill moved that the House concur in the amendment sent down from the Honorable Senate.

The question being on the motion.

(Discussion Ensued)

Mr. Whittier of Bethlehem spoke in favor of the motion.

Messrs. Ferguson of Pittsfield, Pillsbury of Manchester and O'Shan of Laconia spoke against the motion.

Mr. McMeekin of Haverhill then withdrew his motion to concur.

The question being on the motion to non-concur and that a committee of conference be appointed.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of such committee on the part of the House Messrs. McMeekin of Haverhill, English of Hancock and Baron of Claremont.

House Bill No. 74, An Act relative to qualifications for councilmen under the Charter of the City of Concord.

Amend section 3 of the bill by striking out the entire section and inserting in place thereof the following: 3. *Takes Effect.* This act shall take effect January 1, 1954.

On motion of Mr. Cilley of Concord the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 219, An Act relative to the state share of the salaries of superintendents of supervisory unions.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to school supervisory unions, superintendents, assistant superintendents and helping teachers therein, and relative to contributions of the state to salaries for such officers.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Number of Districts.* Amend paragraph I of section 11 of chapter 134, Revised Laws, by adding after the word "into" in the second line the words, not more than fifty, so

that said paragraph as amended shall read as follows: I. *Supervisory Unions.* Combine the several school districts in the state into not more than fifty supervisory unions consisting of one or more school districts. In forming such unions it shall continue the unions theretofore formed, when that is the reasonable thing to do, and shall dissolve supervisory unions and form new unions when it finds that such action will promote the best interests of the schools.

Amend section 2 of said bill by striking out said section and inserting in place thereof the following:

2. *State Board of Education.* Amend paragraph XXII of section 11, chapter 134, Revised Laws, by striking out said paragraph and inserting in place thereof the following: XXII. *Superintendents; Assistant Superintendents; Helping Teachers.* Upon consultation with the local school boards in each supervisory union, and upon the nomination of said school boards of a suitable and competent person, employ such person as superintendent. It may employ by the same method one or more assistant superintendents, except as hereinafter limited, or helping teachers when that is reasonably necessary, and may remove a superintendent or assistant superintendent or helping teacher when the interests of the schools require it. Provided that the board shall not appoint assistant superintendents in more than five of the supervisory unions.

On motion of Mr. Vaughan of Newport the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 382, An Act providing for absentee voting at primaries.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Absent Voting.* Amend chapter 33 of the Revised Laws by inserting after section 41 the following new subdivision:

Absent Voting at Primary Elections.

41-a. *When Permitted.* Any voter who is absent from the city, town or place in which he is qualified to vote, on the day of the primary election, or who, by reason of physical disability, is unable to vote in person, may vote at said primary in accordance with the provisions of this subdivision.

41-b. *Forms.* Prior to each such primary election the secretary of state shall prepare in such quantities as he may deem necessary the following papers:

I. Official absent voting ballots similar in form to the official ballot to be used at said primary, and similarly endorsed, but printed on paper differing in color from that used for official or sample ballots.

II. Blank forms of application for such ballots worded as follows: To the city or town clerk of .....: I, ..., hereby apply for an official absent voting ballot, for the ..... party at the primary. I am a duly qualified voter, am registered as a member of the ..... party, and as I believe, entitled to vote in ward....., city or town. ..... Mail absent voter's ballot to .....

(Signature) .....
(Street and number) .....
(City or town, state) .....

In case of a voter physically disabled, the applicant will also fill out the folowing: On account of physical disability, I am unable to vote in person.

(Signature) .....

We, the undersigned, a majority of the registrars of voters or supervisors of the check-list of the ..... of ..... hereby certify that to the best of our knowledge and belief, said ..... is a duly qualified voter in said ward, city or town of ..... and has been registered as a .....

.....

.....

Registrars of voters or supervisors of the check-list of the ..... of.....

III. In addition to the forms provided in paragraphs I and II the secretary of state shall also prepare in such quantities as he may deem necessary the papers required by paragraphs II, IV and V of chapter 34, Revised Laws, as amended by chapter 20, Laws of 1943.

41-c. *Application of Statutes.* The provisions of sections 62 to 75, inclusive, of chapter 34, Revised Laws, shall apply to absent voting at a primary election, so far as applicable and not inconsistent herewith. With reference to absent voting at a primary by persons in the armed forces, the provisions

of Chapter 100, Laws of 1951, shall apply so far as applicable and not inconsistent herewith. This subdivision shall apply to presidential primaries as provided in Chapters 38 and 38-A, Revised Laws. The filing dates provided for by section 5, Chapter 38, Revised Laws and Section 3, chapter 38-A, Revised Laws shall be not more than seventy-five days nor less than sixty days before the primary. No person shall be entitled to receive the absentee primary ballot of a political party unless he would be entitled to receive the ballot of such party if voting in person. When the absentee ballot of a particular party is issued to a voter hereunder, who is unregistered the registrars or supervisors shall register his affiliation at the time they certify his eligibility to receive such ballot.

2. *Change in Dates.* Amend section 9, chapter 33 of the Revised Laws by striking out the word " sixty" and inserting the word, seventy, in place thereof, so that said section as amended shall read as follows: 9. *Notifications to Clerks.* At least seventy days before the time of holding any primary the secretary of state shall prepare and transmit to each town and ward clerk in the state a notice in writing, designating the offices for which candidates are to be chosen and delegates to the state convention to be elected.

3. *Change in Date.* Amend Section 4 of Chapter 33 of the Revised Laws, as amended by Section 1 of Chapter 133 of Laws of 1943, by striking out said section and inserting in place thereof the following: 4. *Dates.* A primary conducted by the regular election officers shall be held at the regular polling places in each town and ward in the state on the first Tuesday in June, bienially, for the nomination of all candidates to be voted for at the November election, except presidential electors.

4. *Change in Date.* Amend Section 59 of Chapter 33 of the Revised Laws as amended by Section 4, Chapter 9, Laws of 1943, Chapter 16, Laws of 1947, and by Section 1, Chapter 208, Laws of 1947, by striking out said section and inserting in place thereof the following: 59. *Date, Call and Purposes.* Not earlier than seven days next following the primary election nor later than twenty-one days next following the primary election, upon call of the chairman of the state committee of the party, the nominees of each party for the offices of governor, councilors, state senators, county officers, representatives, and state delegates elected shall meet in state convention for

the purpose of adopting the platform of their party, nominating presidential electors and effecting an organization for the following two years. The names and residences of the presidential electors nominated by such convention shall be forthwith certified to the secretary of state by the chairman and clerk of the convention. Upon receipt of the foregoing certifications, the secretary of state shall publish in some paper of general circulation the names of the persons found by him to have been chosen as candidates for presidential electors by the several parties.

5. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Wadleigh of Milford reading of the amendment was dispensed with.

Mr. Wadleigh of Milford moved that the House nonconcur in the amendments sent down from the Honorable Senate and asked that a committee of Conference be appointed.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of such committee on the part of the House, Mr. Wadleigh of Milford, Mrs. Cooper of Nashua and Mr. Eastman of Kensington.

House Bill No. 177, An Act to revise and clarify the charter of the City of Dover.

Amend section 28 of the bill by striking out the same and inserting in place thereof the following:

28. *Special Assessments.* Amend sections 47 and 48 by striking out said sections and inserting in place thereof the following: 47. *Council Resolution.* The council shall have power to determine that the whole or any part of the expense of any public improvement shall be defrayed by special assessments upon the property especially benefited and shall so declare by resolution. Such resolution shall state the estimated cost of the improvement, what proportion of the cost thereof shall be paid by special assessments, and what part, if any, shall be a general obligation of the city, the number of installments in which assessments may be paid, and shall designate the districts or land and premises upon which special assessments shall be levied. Whenever such resolution involves an expenditure of more than one thousand dollars it shall be adopted only after a duly advertised public hearing and final action shall not be taken by the council until at least seven days after said hearing.

48. *Procedure Fixed by Ordinance.* The council shall prescribe by general ordinance complete special assessment procedure concerning plans and specifications, estimate of costs, notice and hearing, the making of the special assessment roll and correction of errors, the collection of special assessments, and any other matters concerning the making of improvements by the special assessment method. Upon the receipt of a request or petition for construction of any buildings, roads, streets, sidewalks, sewers, water or other facilities and utilities in the city of Dover, for which the petitioner would be responsible for assuming and paying any part of the costs thereof, if the estimated cost of furnishing materials and providing labor for same shall exceed the sum of one thousand dollars, competitive public bid shall be required for such project. If the city of Dover is desirous of furnishing the materials and providing the labor for such project, the city, subject to the same terms, conditions and provisions as are applicable to other bidders, may submit bids on same.

Amend section 16 and 17 of new charter as inserted by section 33 of the bill by striking out said sections and inserting in place thereof the following:

16. *School Committee, Election.* There shall be a school committee for said city, to consist of seven elective members, together with the mayor of said city, who shall ex-officio be a member thereof, but who shall have the right to cast a vote only in case of a tie in any vote, resolution, or other question before said committee. The term of service of all members of the school committee as now constituted shall terminate on December 31st of the year in which this charter shall be adopted by referendum under the provisions hereof. At the biennial election to be held in the month of November, seven school members shall be elected at large by the voters of the city of Dover, the four candidates receiving the highest number of votes at said election to serve for a term of four years and the candidates receiving the fifth, sixth, and seventh, highest number of votes to serve for a term of two years each, the terms of such seven elected members to begin on the first day of January of the following year; at each biennial municipal election thereafter, a sufficient number of members shall be elected at large to fill the terms expiring on the first day of January of the year following said election, and the members so elected shall serve for terms of four years each, beginning

on the first day of January. Provided, however, that no political party caucus, primaries, or convention shall nominate any candidate for said school committee, and the names of candidates for school committee shall appear on the ballots in alphabetical order without any political designation whatsoever; and provided further that the ballot for school committee shall contain the names only of such residents of Dover as shall have filed with the city clerk not less than fifteen days before the date of the biennial municipal election, a written notice of intention to be a candidate at such election. Vacancies occurring in said school committee from any cause shall be filled for the unexpired term by a majority vote of entire school committee.

17. *School Committee Organization.* The members of school committee continuing in office and those newly elected as provided in section 16 shall meet at eight o'clock in the evening of the first day of January in the even numbered years for the purpose of newly elected members taking their oaths, organizing for the ensuing two years, and adopting rules for the transaction of business. The school committee shall elect by ballot from their own number of chairman and a secretary; the compensation of such secretary shall be fixed by the school committee. The treasurer of the city of Dover shall be treasurer of the school committee of said city, and all checks authorized by said school committee shall be issued by the treasurer upon warrant certified by said school committee and countersigned by such members of said school committee as may be officially designated.

Amend section 57 of the new charter as inserted by section 33 of the bill by striking out said section and inserting in place thereof the following:

57. *Violations.* All violations of provisions of this charter unless otherwise provided are hereby declared to be misdemeanors and all such violations and all violations of city ordinances for which no other punishment is provided, shall be punishable by a fine not exceeding five hundred dollars or imprisonment for a period of not exceeding ninety days, or both, in the discretion of the court.

Amend section 34 of the bill by striking out said section and inserting in place thereof the following:

34. *Referendum.* Hereafter there shall be two alternative charters for the city of Dover. One shall be designated as

Plan 1, being chapter 430 of the Laws of 1949, as amended by sections 1 to 32, inclusive of this act, and being the Mayor-Council Plan; the second shall be designated as Plan 2, being the charter set forth in section 33 of this act and being the City Manager Plan. On the fourth Tuesday of September, 1953, there shall be a special election held in the city of Dover and questions shall be submitted to the voters of the city in substantially the following form: "Shall the city of Dover be governed by Plan 1, the Mayor-Council Plan or by Plan 2, the City Manager Plan" (Make a cross (X) opposite and to the right of either Plan 1 or Plan 2, but do not vote for both)

Plan 1 — Amended Mayor-Council Plan ☐
Plan 2 — City Manager Plan ☐

The preceding question shall appear at the top of the ballot used at said special election, and such ballot shall be prepared by the city clerk. If a majority of those voting cast ballots in favor of Plan 1 the present charter of the city, as amended by this act, shall be the charter of said city; if a majority of those voting cast ballots in favor of Plan 2 the provisions of section 33 of this act shall constitute the charter of said city. The adoption of either plan as hereinbefore provided shall constitute the suspension of the provisions of the other plan until said plan may be adopted at some subsequent election as hereinafter provided. In the year 1957, and every four years thereafter during a period of sixteen years from the passage of this act, upon a petition signed by at least five hundred legal voters of the city, to be filed with the city clerk at least thirty days before the fourth Tuesday of September of that year, there shall be a special election held on the fourth Tuesday of September to vote on the question of the form of the charter of said city.

The purpose of this section is to provide that the voters may in the manner above indicated change the charter of the city from one plan to the other.

Amend section 35 of the bill by striking out said section and inserting in place thereof the following:

35. *Takes Effect.* The provisions of sections 1 to 32 inclusive, and section 34 of this bill shall take effect upon the passage of this act. The remaining provision of this act shall be effective only as provided therein. Provided further that whenever one of the two plans provided for herein shall be

adopted by referendum for the city of Dover, said plan shall take effect as of January first following its adoption.

On motion of Mr. Chase of Dover reading of the amendment was dispensed with.

Mr. Locke of Dover moved that the House concur in all the amendments sent down from the Honorable Senate with the exception of sections 16 and 17 and asked that the House non-concur with those sections and that a Commitee of Conference be appointed.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of such committee on the part of the House Messrs. Keenan, Locke, and Flanagan of Dover.

The message further announced that:

The Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 304, An Act relative to increasing sheriff's fees and increasing the salary of the sheriff of Hillsborough County.

Amend section 3 of said bill by inserting after figure "1947" in the fourth line the words and figures, and chapter 291, Laws of 1947.

On motion of Mr. Eldredge of Exeter the House concurred in the adoption of the amendments proposed by the committee on engrossed bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that:

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

House Bill No. 130, An Act relative to making appropriation for and on behalf of the New Hampshire wing, civil air patrol.

House Bill No. 304, An Act relative to sheriffs fees and increasing the salary of the sheriff of Hillsborough County.

House Bill No. 430, An Act establishing a council on mental health.

House Bill No. 445, An Act relating to obscene literature, pictures and articles.

House Bill No. 446, An Act relative to transfer of certain inmates of Laconia State School.

The message also announced that:

The Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill and joint resolutions:

Senate Bill No. 57, An Act relative to the construction of dormitories at Keene Teachers' College and New Hampshire University, to be liquidated from income.

Conference Committee Report

The committee of conference, to whom was referred House Bill No. 158, An Act relating to the registration of pleasure-car type motor vehicles, having considered the matter reported the bill with the following recommendations:

1. That the House recede from its position of non-concurrence in the adoption of the amendments to the bill adopted by the Senate insofar as sections 2, 3, 4 and 5 are concerned and concur with the Senate in the adoption of said amendments to said bill.

2. That the Senate recede from its position in the adoption of its amendment to section 1 of the bill, that the House recede from its position of non-concurrence with the amendment to section 1 of said bill and that the Senate and House adopt the following amendment to section 1 of said bill:

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Pleasure Cars.* Amend section 1 of chapter 118 of the Revised Laws as amended by chapter 48 of the Laws of 1945, section 2, chapter 107, section 7, chapter 177, and section 1, chapter 273 of the Laws of 1947 by inserting after paragraph II the following new paragraph: II-a. For every motor vehicle of the pleasure-car type not used commercially, the following rates based on the gross weight of the vehicle and load: All such vehicles and load not exceeding thirty-five

hundred pounds, twelve dollars; exceeding thirty-five hundred and not exceeding forty-two hundred pounds, fifteen dollars and fifty cents; exceeding forty-two hundred and not exceeding five thousand pounds, nineteen dollars and fifty cents; exceeding five thousand and not exceeding six thousand pounds, twenty-five dollars; exceeding six thousand and not exceeding eight thousand pounds, fifty cents per hundred pounds; exceeding eight thousand pounds, sixty cents per hundred pounds.

3. That the Senate and House adopt the following amendment to the title of said bill:

Amend the title by striking out the same and inserting in place thereof the following:

An Act relating to the registration of pleasure-car type motor vehicles, of antique motor cars and of driver training vehicles.

PAULINE H. MAYNARD
CARL C. BLANCHARD
ROBERT E. STONE
Conferees on the part of the House

MARGERY W. GRAVES
MARYE W. CARON
Conferees on the part of the Senate

The question being on agreeing to the report.

On motion of Mrs. Maynard of Fitzwilliam the report was agreed to.

Correction

Mrs. Delude of Unity was recorded as voting "No" on the question of the amendment to House Bill No. 438, An Act relating to the appropriation for the timber tax reimbursement fund, offered by the member from Guilford, and should have been recorded as voting "Yes".

On motion of Mr. Wadleigh of Milford the rules were suspended and business in order at 3:00 o'clock was made in order at the present time.

On motion of Mrs. Roe of Newport at 2:20 o'clock the House adjourned.

THURSDAY, JUNE 11, 1953

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Almighty God, merciful and compassionate, and who art ever ready to hear the cry of Thy needy children, we come to Thee this morning asking Thee to hear our petition in behalf of those in our sister state who suffered loss of property and loved ones in the recent tornado. Thou God of courage and wisdom, give these men and women the courage they so greatly need to face the future; Thou alone can turn this tragedy into victory for them, Thou alone can keep alive in their bosoms that spark of eternal hope. Help them to realize in their deep sorrow and bereavement that Thou art sustaining them. We thank Thee for all human efforts being made to alleviate this suffering, bless them to the comfort and help of these needy people. We ask this in the name of the Merciful Christ. *Amen.*

Leaves of Absence

Messrs. Pinkham of Northwood, Belletete of Jaffrey, and Cain of Manchester were granted leave of absence for the day on account of important business.

Mr. Karagianis of Laconia was granted leave of absence for the day on account of illness.

Report of Committee on Engrossed Bills

Mrs. Hundley of Portsmouth for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Bills:

House Bill No. 366, An Act to lay out and construct a continuous highway on a new location across the southeast corner of the state of New Hampshire westerly of the present U. S. 1 and to extend said highway northwesterly towards the lakes and mountain regions.

House Bill No. 244, An Act relative to town records, personal property mortgages, and interpreting the settlement law.

House Bill No. 306, An Act relative to the local option question as to sale of beer in cities and towns.

House Bill No. 344, An Act relating to the minimum wage law.

House Bill No. 367, An Act to lay out and construct a central New Hampshire turnpike.

House Bill No. 415, An Act relative to the highway commission of the city of Manchester and union bargaining agencies.

House Bill No. 426, An Act establishing a commission to study the use of assigned television channels for educational purposes.

House Bill No. 304, An Act relative to increasing sheriffs fees, and increasing the salary of the sheriff of Hillsborough county.

House Bill No. 386, An Act relative to the parole of prisoners.

The report was accepted.

Mr. Hyde of Andover for the Committee on Engrossed Bills to whom was referred House Bill No. 81, An Act relative to the salary of the justice and the special justice of the municipal court of Berlin. Having considered the same, reported the same under Joint rule 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words and figures "chapters 26 and 105 of the Laws of 1953" and inserting in place thereof the words and figures, chapter 26, 105 and 213 of the Laws of 1953.

Further amend said section 1 by striking out the words "Manchester eighteen hundred" and inserting in place thereof the words, Manchester two thousand.

Amend section 2 of said bill by striking out the words and figures "chapter 73, Laws of 1953" and inserting in place thereof the words and figures, chapter 73 and 213, Laws of 1953.

Further amend said section by striking out the words "Lebanon one thousand" and inserting in place thereof the words, Lebanon one thousand five hundred and by striking out the words "three thousand eight hundred and inserting in place thereof the words, four thousand six hundred.

On motion of Mr. Henderson of Berlin the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendments.

Mr. Hyde of Andover for the Committee on Engrossed Bills to whom was referred House Bill (In new draft and with new title) No. 1, An Act to protect the revenue of the state. Having considered the same, reported the same under Joint rule 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1. *Importation of Tobacco Products.* Amend the Revised Laws by inserting after chapter 79-A, as inserted by section 2, chapter 295, Laws of 1949, the following new chapter:

On motion of Mr. Rainie of Concord the House adopted the amendments proposed by the committee on engrossed bill.

The bill was then sent to the Senate for concurrence in the amendment.

Committee of Conference Report

The committee of conference to whom was referred House Bill No. 12, An Act relative to season for taking wild deer, having considered the same report the same with the recommendation that the House recede from its position of nonconcurrence in the adoption of the amendment to said bill as proposed by the Senate, and that the Senate recede from its position in adopting its amendment to said bill and further recommend that the House and Senate adopt the following amendment to said bill.

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1. *Wild Deer.* Amend section 3 of chapter 242 of the Revised Laws, as amended by chapter 191, Laws of 1943, chapter 168, Laws of 1945 and chapter 268, Laws of 1949, by striking out said section and inserting in place thereof the following: 3. *Taking; Time.* Wild deer, outside game preserves may be hunted and taken from one-half hour before sunrise to one-half hour after sunset in the part of the state which lies north of the following described line during the month of November; and in that part of the state lying south of the following described line from December first to December twenty-first, provided that no deer shall be hunted or taken at any time on any island or in any waters or lakes and ponds. The line for the division of the state for the purpose of taking

wild deer is described as follows: Beginning at the boundary line with the state of Vermont at the boundary line between Grafton and Sullivan counties, and being the southern boundary of the town of Lebanon; thence following the southern and eastern boundary line of Grafton county to the southern boundary of the towns of Waterville; thence following the southern boundaries of the towns of Waterville, Albany and Conway to the boundary line with the State of Maine.

Further amend said bill by striking out section 2 inserting in place thereof the following: 2. *Repeal.* Section 3-a, chapter 242 of the Revised Laws, as inserted by section 2, chapter 268, Laws of 1949, is hereby repealed.

RALPH A. BLAKE
BERT STINSON
DORIS M. SPOLLETT
Conferees on the part of the House

FRED KELLEY
MAURICE A. JONES
Conferees on the part of the Senate

The question being on agreeing to the report.

Mr. Washburn of Bartlett moved that the House agree to the report.

On a *viva voce* vote the report was agreed to.

Joint Resolution Introduced

On motion of Mr. Geisel of Manchester the rules were so far suspended as to allow the introduction of a joint resolution.

Joint Resolution No. 7, Joint resolution in favor of Austin H. Reed.

The Joint Resolution was read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

On motion of Mr. Geisel of Manchester, the rules were so far suspended as to dispense with the printing and reference to committee of House Joint Resolution No. 57, Joint Resolution in favor of Austin H. Reed, and that it be put upon its third reading and final passage, by caption only, at the present time.

The Joint Resolution was then read a third time and passed and was sent to the Senate for concurrence.

Rule 17

Mr. Reed of Goffstown was excused from voting on House Joint Resolution No. 57 under rule 17.

Committee of Conference Report

The Committee of Conference to whom was referred House Bill No. 316, An Act to provide more adequate accommodations on public recreational areas, having considered the same, report the same with the following recommendations: That the House recede from its position of non-concurrence, that the Senate recede from its position in adopting its amendments and that the following amendments be adopted:

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Declaration of Purpose.* The purposes of the appropriation provided in section 3 hereof are to provide funds for the following purposes: For development and operation of state recreational areas, now or hereafter established, including any areas or buildings placed under the jurisdiction of the forestry and recreation commission as follows:

Franconia Notch	Cannon Mountain Ski Extension	$305,000.00
Franconia Notch	Tramway Sewerage System	50,000.00
Franconia Notch	Electric Power Cable	25,000.00
White Lake	Extension of Beach and Picnic Area Construction of vending stand	12,000.00
Kingston	Combination Toilet and Dressing Building	10,000.00
Bear Brook	Toilet Building	10,000.00
Silver Lake	General Development Project	150,000.00
Franklin Pierce Homestead	Repairs and landscaping	10,000.00
Mount Sunapee	Ski Extension	150,000.00
	Total Cost of Construction	$722,000.00

Amend section 3 of said bill by striking out the words "seven hundred and forty sevent" in the first and second line and inserting in place thereof the words, seven hundred and twenty two, so that said section as amended shall read as follows: 3. *Appropriation.* A sum not exceeding seven hundred and twenty two thousand dollars is hereby appropriated for

projects authorized under section 1 as may be approved by the governor and council.

Amend section 4 by striking out the words "seven hundred and forty-seven" in the fourth line and inserting in place the words, seven hundred and twenty-two, so that said section as amended shall read as follows:

4. *Bonds or Notes Authorized.* For the purpose of providing funds necessary for the appropriation made by section 3 the state treasurer is hereby authorized, under the direction of the governor and council, to borrow on the credit of the state from time to time a total of seven hundred and twenty-two thousand dollars for the purpose of carrying into effect the provisions hereof and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council. The maturity dates of such bonds or notes shall be determined in each case by the governor and council but in no case shall they be later than 1968. All bonds or notes, except short-term loans, issued under the provisions hereof shall be sold (1) at public sealed bidding (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire, the first publication being not less than thirty days prior to the day the bids will be received, and (3) to the highest bidder. The governor and council may reject any and all bids.

Amend section 6 of the bill by striking out the words "seven hundred and forty-seven" in the sixth line and inserting in place thereof the words, seven hundred and twenty-two, so that said section as amended shall read as follows:

6. *Short-term Loans.* Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short-term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no one time shall the indebtedness of the state on such short-term loans exceed the sum of seven hundred and twenty-two thousand dollars.

NORMAN A. McMEEKIN
ROBERT ENGLISH
WILLIAM P. BARON
Conferees on the part of the House

KATHARINE JACKSON
CURTIS C. CUMMINGS
Conferees on the part of the Senate

The question being on agreeing to the report.

On motion of Mr. McMeekin of Haverhill reading of the report was dispensed with.

Mr. Pillsbury of Manchester moved that the report be agreed to.

On a *viva voce* vote the report was agreed to.

Resolution

Mr. Corbett of Concord offered the following resolution:

Whereas, Ansel N. Sanborn of Wakefield has been in ill health for a long time, and

Whereas, Ansel has served in the capacities of Representative, Floor Leader, Speaker of the House and President of the Senate, therefore be it

Resolved, That we, the Members of the House of Representatives, hereby extend to our former associate our sympathy to him in his illness, our best wishes for a speedy recovery and express our appreciation for his many services to his town and state, and be it further

Resolved, That the Clerk procure flowers for Ansel and send him a copy of these Resolutions.

On a *viva voce* vote the resolution was adopted.

Mr. Tilton of Laconia offered the following resolution:

Whereas, The Members of the General Court have been allowed extra parking privileges, therefore be it

Resolved, That the thanks of the House of Representatives be hereby extended to the Mayor of Concord and the City Government, and Chief of Police of Concord for the many courtesies extended to us during the session, and be it

Further Resolved, That the Clerk of the House transmit a copy of these resolutions to the Mayor and to the Chief of Police.

On a *viva voce* vote the resolution was adopted.

Concurrent Resolution

Mr. Brown of Laconia offered the following concurrent resolution:

Whereas, the citizens of Worcester County in the Com-

monwealth of Massachusetts have without warning been stricken by disaster resulting in a yet undetermined loss of life, untold suffering and the destruction of thousands of homes,

Now Be It Resolved, That the Senate and the House of Representatives in General Court convened, convey to those citizens our deepest sympathy in this dark hour and express our admiration for the efficient manner in which the people of the Commonwealth under direction of the Director of Civil Defense have gone about the task of restoring order out of chaos.

Be It Further Resolved, That a copy of this Resolution be forwarded to His Excellency the Governor of the Commonwealth of Massachusetts and His Honor the Mayor of the City of Worcester.

On a *viva voce* vote the concurrent resolution was adopted.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 143, An Act exending the appropriation for the so-called Children's Study Home.

Amend said bill by inserting after section 1 the following new section:

2. *Disposition of Property.* When the new building for the children's study home as provided in section 1 has been erected and occupied for said purposes the so-called Winant property shall be disposed of by the governor and council. The proceeds from the sale of said property shall be paid to the state treasurer who shall apply the same to a reduction of the bonded debt of the state.

Further amend said bill by renumbering section 2 to read section 3.

On motion of Mrs. Millar of Claremont the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that:

The Senate concurred with the House of Representatives in the adoption of the following concurrent resolution, with amendments, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

Final Adjournment Resolution

Amend the Concurrent Resolution by striking out in the first and third paragraph the words, "Wednesday, June 10, next" and inserting in place thereof the words, Wednesday, June 17, next.

Further amend the Concurrent Resolution by striking out the words "three thirty o'clock" in the third paragraph and inserting in place thereof the words, five o'clock, so that said Concurrent Resolution, as amended, shall read as follows:

Whereas, it appears that all necessary legislative work may be accomplished by Wednesday, June 17, next, therefore be it

Resolved, by the House of Representatives, the Senate concurring:

That the present session of the Legislature be brought to final adjournment on Wednesday, June 17, next, at five o'clock in the afternoon.

Be It Further Resolved, That on that date all reports, bills, and joint resolutions, with the exception of such as have been referred to the Legislative Council, and the next legislature, be indefinitely postponed.

On motion of Mr. Pillsbury of Manchester the amendments sent down from the Honorable Senate were laid upon the table.

Resolution

Mr. Youmans of Warner offered the following resolution:

Whereas, Many of the seats in Representatives Hall are in a state of disrepair, therefore be it

Resolved, That the superintendent of state buildings and grounds be instructed to repair or replace said seats, whichever is necessary.

The question being on the resolution.

(Discussion Ensued)

Mrs. Brungot of Berlin spoke in favor of the resolution.

On a *viva voce* vote the resolution was not adopted.

Mrs. Brungot of Berlin called for a division.

Mr. Ferguson of Pittsfield moved to adjourn from the morning session.

On a *viva voce* vote the motion to adjourn did not prevail.

The question being on the resolution.

Mrs. Brungot of Berlin called for a division.

A division being had 138 members having voted in the affirmative and 116 members having voted in the negative and less than two thirds of the elected number of representatives being present and less than two thirds of those present and voting in the affirmative the resolution was not adopted.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate had voted to adopt the report of the Committee of Conference on the following entitled bills:

House Bill No. 158, An Act relating to the registration of pleasure-car type motor vehicles.

House Bill No. 332, An Act providing for a special open season for taking elk.

House Bill No. 12, An Act relative to season for taking wild deer.

The message further announced that:

The Senate refused to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 90, An Act relating to real estate brokers.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 386, An Act relative to the parole of prisoners.

The message also announced that:

The Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No 367, An Act to lay out and construct a central New Hampshire turnpike.

Recess

After Recess

Committee of Conference Report

The Committee of Conference to whom was referred House Bill No. 177, An Act to revise and clarify the charter of the city of Dover, having considered the same, report the same with the following recommendations: That the House recede from its position of non-concurrence in adopting Senate amendments to section 16 and 17 of the new charter as inserted by section 33 of the bill, that the Senate recede from its position in adopting its amendments to said sections 16 and 17. The committee further recommend that the House and the Senate adopt the following amendment to said bill.

Amend said bill by striking out section 3 thereof.

THOMAS H. KEENAN
CHARLES H. LOCKE
EMMET FLANAGAN
Conferees on the part of the House

FREDERICK C. SMALLEY
FRED G. HAYES, JR.
Conferees on the part of the Senate

Mr. Locke of Dover moved that the report be agreed to.

On a *viva voce vote* the report was agreed to.

On motion of Mr. Wadleigh of Milford the rules were suspended and business in order at 3:00 o'clock was made in order at the present time.

On motion of Mrs. Taylor of Whitefield at 1:20 o'clock the House adjourned.

TUESDAY, JUNE 16, 1953

The House met according to adjournment.

Prayer was offered by Rev. Francis Tucker, Pastor of the Regional Parish of Danbury, South Danbury, Grafton Center, and East Andover.

Let us pray. Almighty God, the guide of all who truly seek Thy will, the strength of all who trust Thee, and the right arm of all who earnestly labor for Thee.

We come unto Thee in these closing sessions of our State Legislature, asking that Thou would'st bless and strengthen all the good Thy servants have here done, and would'st go with them as they return to their home communities. Bless and guide Thy servant Governor Gregg, the President of these United States, his Cabinet and the Congress, the members of our State Senate and House of Representatives, and all of us, that we may work tirelessly for a fuller understanding among all people and nations, for righteousness and justice and truth in our land and in all lands, for good will, brotherhood, and peace. Grant that the laws and guiding principles of our state and nation shall increasingly become in accord with Thy divine laws, and that we may all labor unceasingly for Thy Kingdom of love and righteousness in our own community and neighborhood, in our state, in our nation, and in all the world. *Amen.*

Leaves of Absence

Messrs. Washburn of Bartlett and Ferguson of Pittsfield were granted leave of absence for Tuesday and Wednesday on account of important business.

Mr. Nichols of Center Harbor was granted leave of absence for Tuesday and Wednesday on account of illness in the family.

Report of Committee on Engrossed Bills

Mrs. Corliss of Manchester and Mrs. Landers of Keene for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Joint Resolution, House Bills:

House Joint Resolution No. 57, Joint Resolution in favor of Austin H. Reed.

House Bill No. 236, An Act relative to the United Nations flag.

House Bill No. 400, An Act to create centralized registration of voters in the city of Concord.

House Bill No. 81, An Act relative to the salaries of the justice and the special justice of the municipal court of Berlin, and Franklin and relative to appearances of violators of motor vehicle operations.

House Joint Resolution No. 52, Joint Resolution relating to the investigation of subversive activities.

House Bill No. 74, An Act relative to qualifications for councilmen under the charter of the city of Concord.

House Bill No. 219, An Act relative to school supervisory unions, superintendents, assistant superintendents and helping teachers therein, and relative to contributions of the state to salaries for such officers.

House Bill No. 143, An Act extending the appropriation for the so-called children's study home.

House Bill No. 1, An Act to protect the revenue of the state.

House Bill No. 12, An Act relative to season for taking wild deer.

House Bill No. 177, An Act to clarify and revise the charter of the city of Dover.

House Bill No. 442, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1954.

House Bill No. 443, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1955.

The report was accepted.

Mr. Hyde of Andover for the Committee on Engrossed Bills to whom was referred House Bill No. 4 (In New Draft), An Act establishing the municipal finance act. Having considered the same, reported the same under Joint rule 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out the first five lines of section 1 and inserting in place thereof the following:

1. *New Chapter.* Amend chapter 72 of the Revised Laws,

as amended by chapter 5, Laws of 1947, chapters 78 and 120, Laws of 1949 and chapter 183, Laws of 1951, by striking out said chapter and inserting in place thereof the following:

On motion of Mrs. Studley of Rochester the House adopted the amendments proposed by the committee on engrossed bills.

The bill was then sent to the Senate for concurrence in the amendment.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 403, An Act to provide for a state tax study.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Recommendations by Governor.* The governor is authorized forthwith to commence an examination of all taxes assessed and collected by the State or paid to any officer, agency or department of the State and is hereby directed to recommend to the General Court next assembled legislation in substitution or revision of said taxes.

2. *Recommendations by Commission.* To assist the Governor in his examination there shall be an advisory commission to cooperate with him in the preparation of recommendations pursuant to this Act. The commission shall consist of nine members; three of whom shall be appointed by the Governor, three by the President of the Senate and three by the Speaker of the House. The commission shall choose its own chairman and three members of the commission shall be of the minority party. The members of the commission shall serve without compensation but shall be allowed their necessary expenses while engaged in official business. The commission may employ such technical and other assistants as may be necessary and fix their compensations. The sum of fifteen thousand dollars, or so much thereof as may be necessary, is hereby appropriated for carrying out the purposes of this act, and the Governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

3. *Takes Effect.* This act shall take effect upon its passage.

Mr. Scamman of Stratham moved that the House non-concur in the amendments sent down from the Honorable Senate, and asked that a committee of Conference be appointed.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of such committee on the part of the House, Messrs. Griffin of Lincoln, Scamman of Stratham and Sheridan of Berlin.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions, sent up from the House of Representatives:

House Joint Resolution No. 23, Joint Resolution relative to ascertaining the desires of the people on the question of taxation.

The message further announced that:

The Senate had voted to adopt the reports of the Committees of Conference on the following bills:

House Bill No. 177, An Act amending the charter of the City of Dover.

House Bill No. 316, An Act to provide more adequate accommodations on public recreational areas.

The message further announced that:

The Senate had voted to concur with the House of Representatives in its amendments to the following entitled bills:

Senate Bill No. 9, An Act relative to fees of registers of deeds.

Senate Bill No. 90, An Act increasing salaries of deputy registers of probate.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 236, An Act relative to the United Nations Flag.

House Bill No. 400, An Act to create centralized registration of voters in the City of Concord.

House Bill No. 438, An Act relating to the appropriation for the Timber Tax Reimbursement Fund.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following joint resolution sent up from the House of Representatives:

House Joint Resolution No. 57, Joint Resolution in favor of Austin H. Reed.

The message also announced that:

The Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills and joint resolutions:

House Bill No. 1, An Act to protect the revenue of the state.

House Bill No. 81, An Act relative to the salaries of the justice and the special justice of the municipal court of Berlin.

Resolutions

Mr. Ford of Wolfeboro offered the following resolution:

Whereas it has been learned by members of this House of Representatives that the management of the Rockingham Race Track have been exerting undue political pressure upon certain legislation emanating from the House and

Whereas this pressure was manifestly irrelevant to the specified interests of said management, and

Whereas, said management exists solely through the Grace of God and a majority of the members of this House, therefore be it

Resolved that said management be cordially reminded of their perpetual subservience to the members of this House who represent the people of New Hampshire and that said Management confine their activities in the future to those duties peculiar to the operation of a well-run track and be it further

Resolved that the clerk transmit a copy of these Resolutions to said Management.

The question being on the resolution.

Mr. Perley of Lebanon moved that the resolution be indefinitely postponed.

The question being on motion.

(Discussion Ensued)

Messrs. Perley of Lebanon, and Spaulding of Hudson spoke in favor of the motion.

Mr. Jones of Lebanon called for a division.

A division being had 224 members having voted in the affirmative and 39 members having voted in the negative the motion to indefinitely postpone prevailed.

Mr. Leary of Portsmouth offered the following resolution:

Whereas, Harry H. Foote, Representative from Portsmouth for many sessions, is celebrating his 57th wedding anniversary today and will celebrate his 82nd birthday on Saturday, June 20th, and

Whereas, Harry is Chairman of the Committee on Liquor Laws, of the Rockingham County Delegation and the Portsmouth Delegation, Therefore be it

Resolved, that we, the members of this House of Representatives, Congratulate him and his wife on attaining this milestone of happy married life and extend to him our best wishes for a happy birthday and hope that many more will follow.

On a *viva voce* vote the resolution was adopted.

Mr. Burnham of Alstead offered the following resolution:

Whereas, we have learned with sorrow of the death of Guy S. Neal of Alstead, a former member of the House and for many years Sergeant-at-Arms of the House of Representatives, and has served his town in many capacities, Now Therefore be it

Resolved, That we, the members of the House of Representatives hereby pay tribute to our former associate member and attache for his services to his town and state, and extend our sympathy to his family in its bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Mrs. Neal.

On a *viva voce* vote the resolution was unanimously adopted.

Committee Reports

Mr. Killeen of Walpole for the Committee on Appropriations to whom was referred Senate Bill No. 13, An Act relative to salaries of judges of probate and to annual reports

of county officials. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by inserting after section 2 the following new sections:

3. *Restriction of Special Sessions.* Amend chapter 346 of the Revised Laws by adding after section 24 the following new section: 24-a. *Restrictions.* All uncontested petitions, accounts and other uncontested matters which are on file and in order for hearing and action on or before five p.m. of a regular term day shall be acted upon by the judge on such regular term day, or if later, without a special session fee, unless the parties specifically request a special session. No judge of register of probate shall directly or indirectly suggest or encourage the postponement of any uncontested petition, account or matter from a regular term day to a special session. No judge shall charge any fee whatsoever beyond the established salary, for any official action taken by him on a regular term day. No more than one special session fee may be charged against a single estate or matter per day, notwithstanding the number of different petitions, accounts or other actions presented in such estate or matter on that day. It shall be unlawful for any party or attorney to supplement the special session fee of the established fee per day by any gratuity or other payment for official service, either directly or indirectly.

4. *Appropriation.* In addition to the amount in the appropriation bills for the judges of the several counties, there is hereby appropriated the sum of three thousand dollars ($3000) for the fiscal year ending June 30, 1954, and a like sum for the fiscal year ending June 30, 1955, to cover the increase in salaries provided for in section 1 of said bill.

Further amend said bill by renumbering section 3 to read section 5.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Third Reading

On motion of Mr. McMeekin of Haverhill the rules were suspended to allow the third reading and final passage, by title only, at the present time.

Senate Bill No. 13, An Act relative to salaries of judges

of probate and to annual reports of county officials, was read a third time and passed.

The bill was then sent to the Senate for concurrence in the amendment.

Joint Rule 12

Mr. Geisel of Manchester moved that the rules of the House be so far suspended to allow the introduction of a Joint Resolution.

The question being on the motion.

(Discussion Ensued)

Mr. Geisel of Manchester spoke in favor of the motion.

Under Joint Rule 12 the chair called for a division.

A division being had, 167 members having voted in the affirmative and less than two thirds of the elected membership having voted in the affirmative the motion to suspend the rules did not prevail.

Mr. Geisel of Manchester demanded the yeas and nays and the roll was called with the following result:

Yeas — 172

Hillsborough County: Black, Hambleton, Reed of Goffstown, Adams of Greenfield, Fortin, Hadley, Warren, Corliss, Saidel, Soucy, Cain, Danforth, Geisel, Robb, Horan, Fitzgerald, Kean, Nolan, Hurley, Callahan, Clancy, Healy of Manchester, Ward 6, Thibodeau, Deans, Boire, Temple, Brosnahan, Ryan, Locke of New Boston.

Cheshire County: Maloney, Clark of Harrisville, Smith, Belletete, Spofford, Sweeney of Keene, Heald, Barton, Carlton, Blake, Lang of Troy, Billings.

Sullivan County: Angus, Converse, Howe, Nahil, Marcotte of Claremont, Stone, Davis of Cornish, Smith of Langdon, Wirkkala, Perry, Roe, Jordan, Metcalf of Springfield, Gamsby, DeLude.

Grafton County: Gingras, Willey, Eggleston, Brown of Easton, Lorden, Peabody, Williams, Adams of Lebanon, Ashley, Cole, Jones, Fred of Lebanon, Perley, Griffin of Lincoln, Fox, Gardner of Littleton, Longchamps, Dixon, Howard, Loizeaux, Barney, Horner, Anderson, Sawyer.

Coos County: Brungot, Theriault, Alls, Oakes, Emerson, Robinson, Kimball of Jefferson, Simonds, Swett, Potter, Bou-

tain, Hayes, Weeks of Stewartstown, Stinson, Taylor.

ROCKINGHAM COUNTY: Wastcoat, Clark of Derry, Hepworth, Ladd, Richards, Jones of Fremont, Weeks of Greenland, Merrill of Hampton, Thurlow, MacDonald, Wells, Pinkham, Seel, Barrett, Hundley, Payette, Murch, Yeaton, Leary, Smart Philbrick, Noyes, Scamman.

STRAFFORD COUNTY: Swain, Chase, Leighton, Fellows, Webb, Connell, Locke of Dover, Stearns, Blanchard, Rolfe, Carignan, Studley, Fernald, Letourneau.

BELKNAP COUNTY: McAllister, Gardner of Gilford, Stafford, Morin, Simoneau, Tilton of Laconia, Burbank, O'Shan, Brown of Laconia, Metcalf of Tilton.

CARROLL COUNTY: Morey, Gale, Kimball of Moultonborough, Diffenderfer, Hodge, Peaslee of Wakefield, Clow, Ford.

MERRIMACK COUNTY: Hyde, Flanders, Moore, Vogel, Marden, Dodge, Ferrin, Tebbets, Jewett, Saltmarsh, Cilley, Mahoney, Comi, Sargent, Nutter, Thompson of Franklin, Douphinette, Leonard, Dudevoir, Mulaire, Wilman, Powell, Youmans.

Nays — 155

HILLSBOROUGH COUNTY: Holmes of Amherst, Robinson, Wiggin, Farwell, Jennings, Poore, English, Goodwin of Hollis, Spaulding, Reid of Litchfield, Lang of Manchester, Pillsbury, Connor, Martel, Sullivan, Betley, Healy of Manchester, Ward 5, Shea of Manchester, Casey, Cavanaugh, Ecker, Tessier, Constant, Delisle, Genest, Cary, Gagnon, Auger, Bergeron, Kearns, O'Neil, Roche, Attalla, Lareau, Soucy of Manchester, Ward 12, Dupont, Gauthier, Lesmerises, Cannon, Donnelly, Roy, Peaslee of Merrimack, Falconer, Wadleigh, Colburn, Cooper, Belcourt, Morrissette, Ayers, Maynard of Nashua, Pappagianis, Dionne, Shea of Nashua, Chartrain, Dugas, Dutilly, Grandmaison, Bouthillier, Dumais, Thompson of New Ipswich, Cummings, Dutton, Barry.

CHESHIRE COUNTY: Maynard of Fitzwilliam, Haley, Kirk, Landers, Wheeler, Bennett, Codding, Faulkner, Waling, Kershaw, Killeen, Rhodes, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Frizzell, Millar, Holden of Newport, Vaughan.

GRAFTON COUNTY: Chamberlin of Bath, Plumer, Hay-

ward, Holden of Hanover, McMeekin, Sleeper, Martin, Bell of Plymouth, Woodward.

COOS COUNTY: Dussault, Henderson, Sheridan, Christiansen, Bouchard, Fontaine, Ross, Hilliard.

ROCKINGHAM COUNTY: Brock, Griffin of Auburn, Eldredge, Eastman, Rathbone, Spollett, Ring, Eastman, Parmenter, Sheehy, Holden of Newington, LaBranche, Carter, McDaniel, Sadler, Foote, Wardwell, Ingraham, Mafera, Haigh, Peever, Waterhouse.

STRAFFORD COUNTY: Grimes, Marcotte of Dover, Crandall, Flanagan, Funkhouser, Wormhood, Maxfield, Nelson, LaCasse, St. Pierre, Clement, Brown of Strafford.

BELKNAP COUNTY: Roeder, Hart, Varrell, Kipp, Smith of Meredith, Matthews, Atwood.

CARROLL COUNTY: Benson, Downs, Mudgett, Nickerson, Hodgdon.

MERRIMACK COUNTY: Holmes of Boscawen, Otis, Lessels, Corbett, Rainie of Concord, Nawn, Mendenhall, Broadhurst, Burke, Davis of Hopkinton, Brown of Loudon.

Pairs

Mr. Sherwin of Rindge voting YES paired with Mr. Bunten of Concord voting NO.

And the motion to suspend the rules did not prevail.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 13, An Act creating the flag of the State of New Hampshire, certain distinguishing flags, and establishing a State Flag Code.

Amend section 3 of the bill by striking out said section and inserting in place thereof the following:

3. *Flag of the State of New Hampshire.* There is created and prescribed for use, in accordance with the provisions of

this act, a flag of the State of New Hampshire, hereinafter referred to as the state flag, which shall be paramount in rank to all other flags except the national color and the flags of foreign sovereign states. The design of the state flag shall be determined as a result of a statewide contest conducted and financed by the planning and development commission. The winning design will be selected on or before November 11, 1953 by a two-thirds vote of a board of nine judges which shall include one representative from each of the following: The American Legion, The Veterans of Foreign Wars, D.A.R., S.A.R., This is New Hampshire, Inc., and the Adjutant General, the state director of art education, the state recreation director, the director of the planning and development commission. The design shall be simple, easily recognizable and distinctive of New Hampshire.

I. The state flag shall be of bunting with appliqued and stitched design when intended for outdoor use. When intended for inside use, it may be of silk (in which latter case the design may be reproduced in embroidery, or appliqued, in colored silk or other material), trimmed on three edges with knotted fringe of gold-colored silk two and one-half inches wide and having attached below the spearhead on the staff a cord having a total length approximately 2.25 times the hoist dimension of the flag; the cord to have at each end a tassel corresponding in size to the fringe; cord and tassel to be similar to the fringe in color.

II. All details, including the relative proportions of elements of the flag and the colors used throughout shall be in accordance with the master design accepted at the time of adoption of the state flag; said master design to be filed with the secretary of state who shall, upon application, furnish suitable reproductions thereof and specifications applicable thereto.

Amend paragraph VII of section 6 by striking out the following (3) Length of ways .64 (4) Ensign staff .11 (5) Main mast (including jury staff) .335 (6) Fore mast (including jury staff) .291 (7) Mizzen mast (including jury staff) .16 (8) Inclination of ways from flag edge 70″ so that said paragraph as amended shall read as follows:

VII. The state flag, manufactured for sale to and display by citizens, for use on permanent flag poles, shall be of the following proportions:

(1) Hoist	1.00
(2) Fly	1.90

When intended to be displayed by citizens by carrying, the state flag shall be of the following sizes:

When intended for display on an automobile, the state flag shall be 1′ 6″ on the hoist and 2′ 2″ on the fly.

Amend paragraph XXV of said section 6 by striking out the words "masts of the ship" so that said paragraph as amended shall read as follows:

XXV. When the state flag is displayed from a staff projecting horizontally, or at an angle, from the window sill, balcony, or front of a building, the symbol of the flag should point away from the building.

Amend paragraph XXVI of said section 6 by striking out the words "masts of the ship" so that said paragraph as amended shall read as follows:

XXVI. When the state flag is displayed in an open area, it should be suspended vertically with the symbol pointing either to the north, or to the east. When thus displayed on the same support with the flag of the United States, the national color shall be the more northerly or easterly, as the case may be.

On motion of Mr. Spaulding of Hudson reading of the amendment was dispensed with.

Mr. Spaulding of Hudson moved that the House non-concur in the amendments sent down from the Honorable Senate and asked for a committee of conference.

The question being on the motion.

Mr. Mendenhall of Dunbarton moved that the House concur in the amendments sent down from the Honorable Senate.

The question being on the motion to concur.

(Discussion Ensued)

Mr. Mendenhall of Dunbarton spoke in favor of the motion.

Messrs. Spaulding of Hudson, Perry of Newport, Longchamps of Littleton and Black of Bennington, and Mrs. Morey of Hart's Location spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Rainie of Concord moved that the House non-concur in the amendments sent down from the Honorable Senate.

The question being on the motion to non-concur.

(Discussion Ensued)

Mr. Rainie of Concord spoke in favor of the motion.

Mr. Spaulding of Hudson spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Rainie of Concord called for a division.

A division being had 155 members having voted in the affirmative and 129 members having voted in the negative the motion to non-concur prevailed.

Mr. Youmans of Warner demanded the yeas and nays and the roll was called with the following result:

Yeas — 187

MERRIMACK COUNTY: Hyde, Holmes of Boscawen, Flanders, Marden, Dodge, Tebbets, Otis, Lessels, Jewett, Rainie of Concord, Bunten, Walker of Concord, Mahoney, Sargent, Burke, Thompson of Franklin, Douphinette, Dudevoir, Mulaire, Wilman.

HILLSBOROUGH COUNTY: Holmes of Amherst, Farwell, Hambleton, Poore, Adams of Greenfield, Fortin, Goodwin of Hollis, Warren, Corliss, Lang of Manchester, Soucy of Manchester, Ward 1, Connor, Horan, Martel, Sullivan, Fitzgerald, Healy of Manchester, Ward 5, Shea of Manchester, Callahan, Cavanaugh, Clancy, Ecker, LeClerc, Tessier, Constant, Cary, Auger, Bergeron, Kearns, O'Neil, Roche, Attalla, Lareau, Soucy of Manchester, Ward 12, Dupont, Gauthier, Lesmerises, Cannon, Donnelly, Roy, Peaslee of Merrimack, Deans, Falconer, Colburn, Ramsdell, Temple, Belcourt, Morrissette, Pappagianis, Shea of Nashua, Chartrain, Ryan, Dutilly, Grandmaison, Bouthillier, Locke of New Boston, Thompson of New Ipswich, Cummings, Barry.

CHESHIRE COUNTY: Maynard of Fitzwilliam, Belletete, Haley, Kirk, Landers, Bennett, Heald, Faulkner, Barton, Carlton, Blake, Lang of Troy, Killeen, Rhodes, Billings, Thompson of Winchester.

SULLIVAN COUNTY: Frizzell, Millar, Marcotte of Claremont, Davis of Cornish, Smith of Langdon, Wirkkala, Holden of Newport, Perry, Roe, Vaughn, Metcalf of Springfield, Gamsby.

GRAFTON COUNTY: Willey, Williams, Fuller, Hayward,

Holden of Hanover, Sleeper, Cole, Fox, Howard, Horner, Anderson, Woodward, Sawyer.

COOS COUNTY: Henderson, Alls, Oakes, Kimball of Jefferson, Simonds, Swett, Potter, Boutain, Hilliard, Weeks of Stewartstown, Sinston, Taylor.

ROCKINGHAM COUNTY: Brock, Griffin of Auburn, Dudley, Wastcoat, Clark of Derry, Eldredge, Rathbone, Spollett, Ring, Thurlow, Eastman, Parmenter, Sheehy, Wells, Carter, McDaniel, Barrett, Sadler, Foote, Murch, Yeaton, Leary, Wardwell, Smart, Haigh, Noyes.

STRAFFORD COUNTY: Swain, Leighton, Grimes, Marcotte of Dover, Locke of Dover, Flanagan, Wormhood, Rolfe, Maxfield, Nelson, Carignan, St. Pierre, Studley, Fernald, Brown of Strafford.

BELKNAP COUNTY: McAllister, Gardner of Gilford, Stafford, Simoneau, Tilton of Laconia, Burbank, O'Shan, Varrell, Kipp, Smith of Meredith.

CARROLL COUNTY: Downs, Mudgett, Nickerson, Hodgdon.

Nays — 132

MERRIMACK COUNTY: Moore, Vogel, Ferrin, Corbett, Saltmarsh, Cilley, Nawn, Mendenhall, Nutter, Broadhurst, Leonard, Davis of Hopkinton, Brown of Loudon, Young, Powell, Youmans.

HILLSBOROUGH COUNTY: Robinson, Wiggin, Black, Jennings, Reed of Goffstown, Hadley, Spaulding, Reid of Litchfield, Saidel, Cain, Danforth, Pillsbury, Robb, Kean, Nolan, Betley, Hurley, Casey, Healy of Manchester, Ward 6, Delisle, Genest, Gagnon, Wadleigh, Cooper, Boire, Ayers, Brosnahan, Maynard of Nashua, Dionne, Dugas, Dumais, Dutton.

CHESHIRE COUNTY: Maloney, Clark of Harrisville, Smith, Spofford, Wheeler, Codding, Waling, Sherwin, Kershaw.

SULLIVAN COUNTY: Angus, Converse, Howe, Firestone, DeLude.

GRAFTON COUNTY: Gingras, Chamberlin of Bath, Plumer, Eggleston, Brown of Easton, Peabody, McMeekin, Adams of Lebanon, Ashley, Jones, Fred of Lebanon, Perley, Gardner of Littleton, Longchamps, Martin, Dixon, Bell of Plymouth, Loizeaux, Barney.

COOS COUNTY: Dussault, Brungot, Bouchard, Theriault, Emerson, Robinson, Ross, Hayes.

ROCKINGHAM COUNTY: Hepworth, Ladd, Richards, Jones of Fremont, Weeks of Greenland, Merrill of Hampton, MacDonald, Holden of Newington, LaBranche, Pinkham, Seel, Hundley, Ingraham, Mafera, Philbrick, Peever, Waterhouse.

STRAFFORD COUNTY: Chase, Fellows, Webb, Connell, Crandall, Funkhouser, Stearns, Blanchard, LaCasse, Clement, LeTourneau.

BELKNAP COUNTY: Roeder, Hart, Morin, Brown of Laconia, Matthews, Atwood, Metcalf of Tilton.

CARROLL COUNTY: Benson, Morey, Gale, Kimball of Moultonborough, Diffenderfer, Hodge, Peaslee of Wakefield, Clow, Ford.

And the motion to non concur prevailed.

Order vacated

Mr. McMeekin of Haverhill moved that the Committee on Resources, Recreation, and Development be instructed to report House Bill No. 136, An Act relative to forest conservation and taxation into the House for action today.

The question being on the motion.

(Discussion Ensued)

Messrs. McMeekin of Haverhill, McDaniel of Nottingham, Perley of Lebanon, Cole of Lebanon, and Mrs. Delude of Unity spoke in favor of the motion.

Messrs. English of Hancock, and Hart of Laconia spoke against the motion.

Mr. Roche of Manchester moved the previous question.

The question being: Shall the main question now be put?

On a *vica voce* vote the previous question was ordered.

The question being on the motion offered by the member from Haverhill.

On a *viva voce* vote the chair was in doubt and asked for a division.

A division being had 203 members having voted in the affirmative and 57 members having voted in the negative the motion prevailed.

The question being: Shall the bill be ordered to a third reading?

Mr. English of Hancock offered the following amendment.

Amend the fourth paragraph of section 1 of said bill by inserting after the word "cut" in the seventh line the word, fuel; further amend said paragraph by adding at the end thereof the words, (d) persons engaged in clearing and maintaining rights of way incidental to furnishing utility services or transportation to the public, so that said paragraph as amended shall read as follows:

"Owner" means any person, including a purchaser of public forest timber, having title to lands or standing trees or possession with authority to cut and remove logs or wood from lands or standing trees from which any logs or wood are taken during the tax year. The word "owner" shall not be construed to include (a) a person who cuts or causes to be cut logs or wood from his own land for consumption in the construction, reconstruction or alteration of his own buildings, structures or fences, situated in the state of New Hampshire; (b) a person who cuts or causes to be cut fuel wood for his own consumption for domestic fuel purposes; (c) the state, municipalities and public agencies cutting wood or timber on publicly owned lands; (d) persons engaged in clearing and maintaining rights of way incidental to furnishing utility services or transportation to the public.

Amend section 3 of the bill by inserting after the word "any" in the fifteenth line the word, timber, so that said section as amended shall read as follows:

3. *Timber Tax.* Amend section 6 of chapter 79-A, Revised Laws, by striking out the same and inserting in place thereof the following: 6. *Collection.* Said tax shall constitute a lien upon all real estate of the owner owned on the date of assessment and may be enforced and collected by any appropriate means provided for the collection of taxes in chapter 80 of this title and amendments thereto, except that the right of distraint and the lien provided by sections 6 and 17 thereof shall expire eighteen months from the date the yield tax is assessed. It shall be subject to the same interest as general property taxes. Whenever the assessing officials, or the state tax commission, deem it necessary to insure the payment of the yield tax, they, or either of them, may require a bond or other security to be given by an owner, as defined herein, before or during the cutting period, in such amount and conditioned upon such terms as they determine. An owner fail-

ing or neglecting to provide such bond or security within seven days after request therefor may be enjoined from further cutting by the superior court, which shall make such order as justice shall require. They may enter upon and inspect any timber lot, and require the owner to produce for inspection any books, records and papers as may be of assistance to them in the assessment of the yield tax.

Amend section 7 of the bill by adding at the end thereof the following, The word "owner" shall not be construed to include public agencies cutting wood or timber on publicly owned lands, nor persons engaged in clearing and maintaining rights of way incidental to furnishing utility services and transportation to the public, so that said section as amended shall read as follows:

7. Amend section 11 of chapter 79-A of the Revised Laws by striking out the same and inserting in place thereof the following: *Disposition of Yield Tax.* Except as provided in section 18 the yield tax collected under this chapter shall be paid by the tax collectors of cities and towns into their respective treasuries for general use of the city or town. The yield tax collected by the state treasurer from operations in any unorganized town or unincorporated place shall be distributed by him as follows: (a) to the state tax commission the cost of assessment in the unorganized towns and unincorporated places; (b) to the treasurer of the county in which such town or place is situated, to be credited against its share of the county tax, if any, for the ensuing year, but if the operation was in a town or place where no county tax was levied it shall be credited to the reimbursement fund provided for in section 12; (c) if any excess remains it shall be disbursed from year to year during the ensuing years as provided in clause (b) above. The word "owner" shall not be construed to include public agencies cutting wood or timber on publicly owned lands, nor persons engaged in clearing and maintaining rights of way incidental to furnishing utility services and transportation to the public.

The question being on th amendment.

(Discussion Ensued)

Messrs. English of Hancock, and McMeekin of Haverhill spoke in favor of the amendment.

On a *vica voce* vote the amendment was adopted.

Mrs. Gardner of Gilford offered the following amendment:

Amend said bill by inserting after section 8 the following new section:

9. *State Tax Commission.* Amend chapter 79-A of the Revised Laws as inserted by chapter 295 of the Laws of 1949 by inserting after section 4 thereof the following new section: 4-a. *Information Returns.* In the year 1954 the tax commission shall include in the inventory provided for in section 3 of chapter 75 of the Revised Laws such questions as will enable the selectmen and assessors to determine the number of acres of timber land in each city, town and unincorporated place and the volume of growing wood and timber thereon. The selectmen and assessors shall make a list of such timber land and the volume of growing wood and timber thereon at the time they take the invoice of taxable property, and shall report the information so obtained with their estimate of the acreage and volume of growing wood and timber to the tax commission at the time they make the report to the tax commission required by section 19 of chapter 59 of the Revised Laws. The tax commission may use not exceeding five hundred dollars of any unexpended funds transferred to it by chapter 277 of the Laws of 1951 to help defray the expenses of printing and supplies necessary for reporting the information required hereby.

Further amend said bill by renumbering section 9 to read section 10.

The question being on the amendment.

(Discussion Ensued)

Mrs. Gardner of Guilford, and Messrs. Griffin of Lincoln, Moore of Bradford, English of Hancock, Spaulding of Hudson and McMeekin of Haverhill spoke in favor of the amendment.

Messrs. Littlehale of Durham, Brown of Loudon, and Plumer of Bristol and Mrs. Funkhouser of Durham spoke against the amendment.

Mr. Willey of Campton moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Hart of Laconia demanded the yeas and nays but subsequently withdrew his demand.

(Mr. Griffin in chair.)

Mr. Hart of Laconia moved that the bill as amended be laid upon the table.

On a *viva voce* vote the motion did not prevail.

Third Reading

On motion of Mr. McMeekin of Haverhill the rules were so far suspended as to allow the third reading and final passage by title only, at the present time of House Bill No. 136.

House Bill No. 136, An Act relative to forest conservation and taxation was then read a third time and passed and sent to the Senate for concurrence.

Reconsideration

Mr. McMeekin of Haverhill moved that the House reconsider its vote whereby it passed House Bill No. 136, An Act relative to forest conservation and taxation.

On a *viva voce* vote the motion to reconsider did not prevail.

(Speaker in chair.)

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 332, An Act providing for a special open season for taking of elk.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to elk in the Town of Unity.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Elk.* The director of fish and game is authorized to capture, release, move and relocate or destroy any elk now at

large in the town of Unity if in his judgment such elk are a menace to any form of agriculture while in their present range. The director may designate any areas to which such transfer may be made and may draw on the department funds for the expense of such transfer. The provisions of this section shall not be deemed a limitation upon any of the powers of the director granted in Title XX of the Revised Laws.

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Metcalf of Tilton the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 438, An Act relating to the appropriation for the Timber Tax Reimbursement Fund.

Amend said bill by inserting after section 2 the following and by striking out the first two lines of the amendment to section 22 of chapter 79-A of the Revised Laws as adopted by the House, so that it will read as follows:

3. *Limitation.* Amend section 22 of chapter 79-A of the Revised Laws, as inserted by chapter 295, Laws of 1949, by striking out said section and inserting in place thereof the following:

Further amend said bill by striking out the last section and inserting in place thereof the following:

4. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. McMeekin of Haverhill the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

Senate Bill No. 9, An Act relative to fees to registers of deeds.

Amend section 1 of said bill by striking out the first two lines and inserting in place thereof the following:

1. *Recording Officers.* Amend section 15, chapter 49, Revised Laws, as amended by section 2, chapter 230, Laws of 1953, by striking out said section and inserting in place thereof

On motion of Mr. Wells of Newton the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

Senate Bill No. 90, An Act increasing salaries of deputy registers of probate.

Amend section 1 by inserting at the end thereof the following: Each year thereafter said holder shall be entitled to an increase of one hundred and twenty dollars for each year until the maximum is reached.

On motion of Mr. McMeekin of Haverhill the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

Speakers Ruling

The Resolution adopted by the House wherein the Speaker was directed to transmit to the Supreme Court of New Hampshire certain questions as to the constitutionality of certain phases of House Bill No. 447, An Act relative to the tax on tobacco products, the Chair finds as follows: That by subsequent action of this body, House Bill No. 447 was voted inexpedient to legislate. In an opinion of the justices set forth in 93 New Hampshire, page 475, the justices of this court have many times determined that their advisory duties Article 74, Part 11 of the Constitution does not require them to furnish an opinion when the question submitted is not pending and awaiting action in the body propounding the inquiry. In compliance with the above since House Bill No. 447 is no longer pending before this body the Chair rules that it cannot forward the resolution for an advisory opinion.

Resolution

Mr. Holden of Newington offered the following resolution:

Whereas, chapter 9 of the Revised Laws of New Hampshire provides for certain procedures for those persons who shall be employed as legislative counsel, and

Whereas, said chapter is specific in its description of en-

tries to be made by such persons, acting as legislative counsel, and

Whereas, said book containing the various entries is open to public inspection, and

Whereas, some of the entries are seemingly incomplete and not in accord with said Chapter 9, now therefore be it

Resolved that the Secretary of State review all entries in said book of record for this legislative session in order that legislative counsel shall properly conform to the requirements of the Statutes, and be it further

Resolved, that if variation from the requirements of the Statutes relative to legislative counsel is found, the Secretary of State shall forthwith notify the Attorney General who shall take appropriate action for any violations of said chapter 9 of the Revised Laws of New Hampshire.

The question being on the resolution.

(Discussion Ensued)

Messrs. Holden of Newington, Brown of Laconia, Black of Bennington, and Martel of Manchester spoke in favor of the resolution.

On a *vica voce* vote the resolution was adopted.

Committee of Conference Report

The Committee of Conference to whom was referred House Bill No. 403, An Act to provide for a state tax study, having considered the same, report the same with the following recommendations: That the House recede from its position of non-concurrence, that the Senate recede from its position in adopting its amendments and that the following amendments be adopted:

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Recommendations by Governor.* The governor is authorized forthwith to commence an examination of all taxes assessed and collected by the state and by all political subdivisions thereof, or paid to any officer, agency or department of the state and to all political subdivisions thereof, and is hereby directed to recommend in a special message to the General Court next assembled legislation in substitution or revision of said taxes, if any such is deemed expedient.

2. *Recommendations by Commission.* To assist the Governor in his examination there shall be an advisory commission to cooperate with him in the preparation of recommendations pursuant to this Act. The commission shall consist of nine members; three of whom shall be appointed by the Governor, three by the President of the Senate and three by the Speaker of the House. The commission shall choose its own chairman and three members of the commission shall be of the minority party. The members of the commission shall serve without compensation but shall be allowed their necessary expenses while engaged in official business. The commission may employ such technical and other assistants as may be necessary and fix their compensations. The sum of fifteen thousand dollars, or so much thereof as may be necessary, is hereby appropriated for carrying out the purposes of this act, and the Governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

3. *Takes Effect.* This act shall take effect upon its passage.

CHARLES GRIFFIN
W. DOUGLAS SCAMMAN
FRANK N. SHERIDAN
Conferees on the part of the House

JAMES C. CLEVELAND
BENJAMIN C. ADAMS
Conferees on the part of the Senate

Mr. Scamman of Stratham moved that the House agree to the report.

The question being on the motion.

Mr. Baron of Claremont moved that the report be indefinitely postponed.

The question being on the motion.

(Discussion Ensued)

Messrs. Brown of Claremont, Rathbone of Exeter, Fernald of Rochester, and Blake of Swanzey spoke in favor of the motion.

Messrs. Scamman of Stratham, Geisel of Manchester, Barry of Wilton, Griffin of Lincoln, Pillsbury of Manchester and McMeekin of Haverhill spoke against the motion.

Mr. Bell of Plymouth moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

Mr. Martel of Manchester called for a division.

A division being had 154 members having voted in the affirmative, and 113 members having voted in the negative the motion prevailed.

Mr. Geisel of Manchester demanded the yeas and nays and the roll was called with the following result:

Yeas — 163

HILLSBOROUGH COUNTY: Farwell, Hambleton, Poore, Adams of Greenfield, Fortin, Goodwin of Hollis, Reid of Litchfield, Lang of Manchester, Soucy of Manchester, ward 1, Danforth, Robb, Horan, Martel, Sullivan, Fitzgerald, Kean, Betley, Healy of Manchester, ward 5, Hurley, Shea of Manchester, Callahan, Healy of Manchester, ward 6, Ecker, Leclerc, Tessier, Constant, Delisle, Cary, Auger, O'Neil, Attalla, La, reau, Soucy of Manchester, ward 12, Gauthier, Lesmerises, Donnelly, Peaslee of Merrimack, Falconer, Ramsdell, Boire, Belcourt, Morrissette, Brosnahan, Maynard of Nashua, Dionne, Chartrain, Ryan, Dugas, Dutilly, Grandmaison, Bouthillier, Dumais.

CHESHIRE COUNTY: Maloney, Clark of Harrisville, Smith, Sweeney of Keene, Bennett, Codding, Faulkner, Blake, Lang of Troy, Billings.

SULLIVAN COUNTY: Howe, Millar, Baron, Marcotte of Claremont, Perry, Vaughan, Metcalf of Springfield.

GRAFTON COUNTY: Brown of Easton, Holden of Hanover, Ashley, Bell of Plymouth, Loizeaux, Barney, Anderson.

COOS COUNTY: Dussault, Henderson, Bouchard, Theriault, Oakes, Robinson, Ross, Kimball of Jefferson, Potter, Hilliard, Weeks of Stewartstown, Stinson.

ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Ladd, Eldredge, Eastman, Rathbone, Richards, Weeks of Greenland, Eastman, Parmenter, Sheehy, Labranche, Carter, Seel, Barrett, Payette, Sadler, Yeaton, Leary, Wardwell, Smart, Ingraham, Mafera, Philbrick, Peever.

STRAFFORD COUNTY: Leighton, Grimes, Marcotte of Dover, Locke of Dover, Flanagan, Funkhouser, Littlehale, Wormhood, Rolfe, Maxfield, Nelson, Carignan, Lacasse, St. Pierre, Clement, Fernald, Letourneau, Brown of Strafford.

BELKNAP COUNTY: McAllister, Gardner of Gilford, Stafford, Morin, Simoneau, Tilton of Laconia, Burbank, Kipp, Smith of Meredith, Metcalf of Tilton.

CARROLL COUNTY: Benson, Downs, Mudgett, Hodge, Hodgdon.

MERRIMACK COUNTY: Holmes of Boscawen, Flanders, Vogel, Dodge, Ferrin, Tebbetts, Lessels, Rainie of Concord, Saltmarsh, Nawn, Broadhurst, Burke, Thompson of Franklin, Douphinette, Leonard, Dudevoir, Mulaire.

Nays — 129

HILLSBOROUGH COUNTY: Holmes of Amherst, Robinson, Wiggin, Black, Jennings, Reed of Goffstown, English, Hadley, Spaulding, Warren, Corliss, Cain, Geisel, Pillsbury, Wadleigh, Cooper, Locke of New Boston, Thompson of New Ipswich, Cummings, Dutton, Barry.

CHESHIRE COUNTY: Maynard of Fitzwilliam, Belletete, Spofford, Haley, Kirk, Landers, Wheeler, Heald, Carlton, Sherwin, Kershaw, Killeen, Rhodes, Thompson of Winchester.

SULLIVAN COUNTY: Frizzell, Converse, Firestone, Davis of Cornish, Smith of Langdon, Wirkkala, Holden of Newport, Roe, Jordan, Delude.

GRAFTON COUNTY: Gingras, Chamberlin of Bath, Whittier, Plumer, Willey, Eggleston, Peabody, Williams, Fuller, Hayward, McMeekin, Sleeper, Adams of Lebanon, Cole, Jones, Fred of Lebanon, Griffin of Lincoln, Fox, Gardner of Littleton, Longchamps, Martin, Dixon, Howard, Horner, Woodward, Sawyer.

COOS COUNTY: Brungot, Alls, Emerson, Simonds, Swett, Boutain, Hayes, Taylor.

ROCKINGHAM COUNTY: Brock, Wastcoat, Clark of Derry, Hepworth, Jones of Fremont, Merrill of Hampton, Thurlow, MacDonald, Holden of Newington, Wells, Pinkham, McDaniel, Foote, Murch, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Chase, Fellows, Webb, Connell, Crandall, Stearns, Blanchard, Studley.

BELKNAP COUNTY: Roeder, Hart, Brown of Laconia, Varrell, Matthews, Atwood.

CARROLL COUNTY: Morey, Gale, Kimball of Moultonborough, Diffenderfer.

MERRIMACK COUNTY: Hyde, Moore, Marden, Otis, Jewett, Cilley, Walker of Concord, Mahoney, Sargent, Nutter, Davis of Hopkinton, Brown of Loudon, Wilman, Young, Powell, Youmans.

And the motion to indefinitely postpone prevailed.

Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that:

The Senate had voted to adopt the report of the Committee of Conference on the following House Bills:

House Bill No. 218, An Act relative to salaries of court stenographers.

House Bill No. 408, An Act to provide for a state tax study.

The message further announced that:

The Senate refused to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 441, An Act relating to the enlargement and extension of water-works of the city of Portsmouth.

The message further announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bill and joint resolutions sent up from the House of Representatives:

House Bill No. 72, An Act relative to procedure to be followed in State construction contracts, and as to authority of Public Works and Highway Department.

The message further announced that:

The Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 403, An Act to provide for a state tax study, and the President has appointed as members of such a committee on the part of the Senate Senators Cleveland and Adams.

The message further announced that:

The Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 4, An Act establishing the municipal finance act.

The message also announced that:

The Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 13, An Act relative to judges of probate.

Committee of Conference Report

The Committee of Conference to whom was referred House Bill 218, An Act relative to salaries of court stenographers, having considered the same recommend that the Senate recede from its position in the adoption of its amendment, that the House recede from its position of non-concurrence and that the Senate and House adopt the following amendments to the bill:

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1. *Court Stenographers.* Amend section 26 of chapter 395 of the Revised Laws as amended by section 1, chapter 176, Laws of 1947, section 1, chapter 95, Laws of 1949 and section 12, chapter 221, Laws of 1951 by striking out the words "three thousand three hundred" in the second sentence of said section and inserting in place thereof the words, three thousand eight hundred, so that said section as amended shall read as follows: 26. *Appointment.* The superior court, acting as a body, may appoint not more than seven official state court stenographers who shall report the proceedings of the superior court of any county to which they may from time to time be assigned by said court. Each court stenographer shall be sworn to the faithful discharge of his duties and shall receive from the state an annual salary of three thousand eight hundred dollars. He shall take full notes of all oral testimony and other proceedings in the trial of causes either at law or in equity including the charge of the justice in all trials before a jury and all comments and rulings of said justice in the presence of the jury during the progress of the trial as well as all statements and arguments of counsel addressed to the court, and during the

trial shall furnish for the use of the court or either of the parties a transcript of so much of his notes as the presiding justice may direct. He shall also furnish a transcript of so much of the evidence and other proceedings taken by him as either party to the trial may require, on payment therefor by such party at the rate fixed by the court as provided in section 29.

HENRY G. WELLS
MABEL THOMPSON COOPER
CHARLES R. EASTMAN
Conferees on the part of the House

JAMES C. CLEVELAND
LOUIS W. PAQUETTE
Conferees on the part of the Senate

On motion of Mrs. Cooper of Nashua reading of the report was dispensed with.

On motion of the same member the House voted to agree to the report.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

Afternoon

The House was immediately called to order in afternoon session.

On motion of Mrs. Holmes of Amherst at 4:15 o'clock the House adjourned.

WEDNESDAY, JUNE 17, 1953

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Great God and Father of mankind, mercifully Thou hast led us as a people. Renew within us a deeper sense of our duty to Thee and to our State. "With firmness in the right, as Thou hast given us to see the right," let us strive to finish the task Thou hast given us to do, with honor to Thee and credit to ourselves. In all of life's difficulties and perplexities, and when human strength fails, we not infrequently call upon Thee; help us to ever remember that it is not for us to command

success, but to deserve it, by listening to, and obeying Thy Word. "Who shall ascend into the hill of the Lord and who shall stand in His holy place? He that hath clean hands and a pure heart; who hath not lifted up his soul unto vanity nor sworn deceitfully. He shall receive the blessing of the Lord." *Amen.*

Leaves of Absence

Messrs. Belletete of Jaffrey, Walker of Concord and Bunten of Concord were granted leave of absence for the day on account of important business.

Mr. Carr of Orford was granted a leave of absence for the week on account of illness.

Report of Committee on Engrossed Bills

Mr. Hyde of Andover for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Bills and Senate Bills:

House Bill No. 316, An Act to provide more adequate accommodations on public recreational areas.

House Bill No. 332, An Act relative to elk in the town of Unity.

House Bill No. 438, An Act relating to the appropriation for timber tax reimbursement fund.

Senate Bill No. 9, An Act relative to fees of registers of deeds.

Senate Bill No. 90, An Act increasing salaries of deputy registers of probate.

The report was accepted.

Committee Reports

Mr. McMeekin of Haverhill for the Committee on Appropriations to whom was referred House Bill No. 405, An Act for the extension of skiing facilities on Cannon Mountain Franconia Notch State Reservation and studies on other areas. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act relative to compensation of legislative attaches and others, duties of tax commission, Connecticut River flood

control, legislative budget assistant, state flag and forestry division.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Legislature.* Amend section 23 of chapter 9 of the Revised Laws, as amended by section 1, chapter 89 of the Laws of 1945, section 1, chapter 271 of the Laws of 1947 and section 1, chapter 2 of the Laws of 1953 by striking out the figures "6:50" and inserting in place thereof the figures, 7.50; by striking out the figure "6" and inserting in place thereof the figure, 7; and by striking out the figure "5" and inserting in place thereof the figure, 6, so that said section as amended shall read as follows: 23. *Attaches.* The compensation of the following attaches of the senate and house of representatives shall be sergeant-at-arms, $7.50 a day; custodian of mails and supplies, $7 a day; messengers, assistant messengers, telephone messengers, library messengers, doorkeeper, wardens and asistant wardens, pages and chaplain, $6. a day; each for six days a week.

2. *Stenographers.* Amend section 23-a of chapter 9 of the Revised Laws, as inserted by section 1, chapter 1, of the Laws of 1947 and amended by section 2 of chapter 85 of the Laws of 1951 by striking out said section and inserting in place thereof the following: 23-a. *Legislative Service Assistants.* The compensation of the legislative service assistants of the senate and house representatives shall be as follows: For the chief assistant ten dollars a day, provided, that for every five regular sessions of service, an additional one dollar a day shall be added until a maximum of fourteen dollars a day; for other assistants seven dollars a day for the first session of service and fifty cents a day additional for each succeeding session of service until a maximum of nine dollars a day, provided that for every five regular sessions of service, an additional one dollar a day shall be added until a maximum of thirteen dollars a day; each for six days a week.

3. *Mileage Clerk.* Further amend said chapter 9 by inserting a new section after section 23-b as follows: 23-c. *Mileage Clerk.* The compensation of the mileage clerk of the house of representatives shall be as follows: seven dollars a day for the first session of service and fifty cents a day additional for each succeeding session of service until a maximum of nine dollars a day, for six days a week.

4. *Tax Commission Duties.* The appropriation made by chapter 277 of the Laws of 1951 for the use of the tax commission in connection with invoices of selectmen relative to certain exempt property shall not lapse but shall be available to the tax commission for analysis, correlation and tabulation of facts and information received by it as a result of the listing of such property. The tax commission is hereby authorized to employ such assistance, within the limits of said appropriation, as may be necessary to accomplish the purposes hereof.

5. *Connecticut River Valley Flood Control.* The sum of one thousand dollars is hereby appropriated for the fiscal year ending June 30, 1954, and a like sum for the fiscal year ending June 30, 1955, for the purpose of carrying out the provisions of Article VII of the compact or agreement relating to payment by the state to the Connecticut River Valley Flood Control commission of the proportionate share of the state in the expenses of said commission, established by chapter 202, Laws of 1951. For the purposes of section 5 of said chapter 202 an additional sum of one thousand eight hundred dollars is hereby appropriated for the fiscal year ending June 30, 1954, and a like sum for the fiscal year ending June 30, 1955.

6. *Repeal.* Section 30, of chapter 256 of the Laws of 1951 relative to limitation on state printing, publication or binding is hereby repealed.

7. *State Flag.* Amend chapter 13 of the Revised Laws by inserting after section 2 the following new section: 2-a. *Powers of Governor.* The governor is authorized to permit use of the state flag at such times and in such manner as may seem to him proper and reasonable, upon written application for the same.

8. *Legislative Budget Assistant.* In addition to appropriations heretofore made for the office of the legislative budget assistant there is hereby appropriated the sum of twenty-five hundred dollars for the fiscal year ending June 30, 1954, and a like sum for the fiscal year ending June 30, 1955, for the employment of additional clerical assistance in the office of the legislative budget assistant. The governor is authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

9. *Forestry Division.* In case the federal government shall make available to the forestry division of the forestry

and recreation department for its activities any funds in excess of the amounts estimated for said activities in the so-called appropriation acts, said division, with the approval of the governor and council, may expend such additional federal funds.

10. *Takes Effect.* This act shall take effect as of January 7, 1953.

The report was accepted.

On motion of Mr. McMeekin of Haverhill reading of the amendment was dispensed with.

Mr. McMeekin of Haverhill moved that the consideration of the amendment be divided.

On a *viva voce* vote the motion prevailed.

The question being on Section 1 of the amendment.

On motion of Mr. McMeekin of Haverhill Section 1 was adopted.

The question being on Section 2 of the amendment.

On motion of Mr. McMeekin of Haverhill Section 2 was adopted.

The question being on Section 3 of the amendment.

On motion of Mr. McMeekin of Haverhill Section 3 was adopted.

The question being on Section 4 of the amendment.

On motion of Mr. McMeekin of Haverhill Section 4 was adopted.

The question being on Section 5 of the amendment.

On motion of Mr. Pillsbury of Manchester Section 5 was adopted.

The question being on Section 6 of the amendment.

On motion of Mr. McMeekin of Haverhill Section 6 was adopted.

The question being on Section 7 of the amendment.

(Discussion Ensued)

Mr. Chase of Dover spoke in favor of the amendment.

Mr. Perry of Newport spoke against the amendment.

On a *viva voce* vote the amendment to Section 7 was adopted.

The question being on Section 8 of the amendment.

On motion of Mr. McMeekin of Haverhill Section 8 was adopted.

The question being on Section 9 of the amendment.

On motion of Mr. McMeekin of Haverhill Section 9 was adopted.

The question being on Section 10 of the amendment.

(Discussion Ensued)

Mr. McMeekin of Haverhill spoke in favor of the amendment.

Mr. Baron of Claremont offered the following amendment to the amendment.

Amend section 10 of the bill by striking out the words "January 7" and inserting in place thereof the words, July 1, so that said section as amended shall read as follows:

Section 10. *Takes Effect.* This act shall take effect July 1, 1953.

The question being on the amendment to the amendment.

(Discussion Ensued)

Mr. Baron of Claremont spoke in favor of the amendment.

Messrs. Angus of Claremont, Spaulding of Hudson, Pillsbury and Kearns of Manchester, and Benson of Conway and Mrs. Brungot of Berlin spoke against the amendment.

On a *viva voce* vote the amendment to the amendment was not adopted.

The question being on the amendment to Section 10.

On a *viva voce* vote the amendment to Section 10 was adopted, and the bill was ordered to a third reading.

Third Reading

On motion of Mr. McMeekin of Haverhill the rules were suspended to allow the third reading and final passage, by title only, at the present time of House Bill No. 405.

House Bill No. 405, An Act relative to compensation of legislative attaches and others, duties of tax commission, Connecticut River flood control, legislative budget assistant, state flag and forestry division, was read a third time and passed and was sent to the Senate for concurrence.

Reconsideration

Mr. McMeekin of Haverhill moved that the House reconsider its vote whereby it passed House Bill No. 405, An Act relative to compensation of legislative attaches and others, duties of tax commission, Connecticut River flood control, legislative budget assistant, state flag and forestry division.

On a *viva voce* vote the motion to reconsider did not prevail.

Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 136, An Act relative to forest conservation and taxation.

Amend the bill by adding the following new section:

7. *Forest Conservation Study Committee Appropriation.* There is appropriated the sum of fifteen thousand dollars for the use of the study committee created under chapter 152, Laws of 1953, and the said appropriation shall be a charge on the Reimbursement Fund provided for by House Bill No. 438. No monies herein allocated shall be used for salaries to any committee member.

Further amend said bill by renumbering section 7 to read section 8.

On motion of Mr. McDaniel of Nottingham the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 128, An Act to increase the salaries of the justices of the Nashua municipal court.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Nashua Municipal Court.* Amend paragraph I of section 31 of chapter 377 of the Revised Laws as amended by chapter 232 of the Laws of 1947, chapters 73 and 213 of 1953 and by section 2 of an Act of the 1953 session relative to sal-

aries of the justices of the municipal courts of Berlin and Franklin, by striking out the words "Nashua two thousand eight hundred" and inserting in place thereof the words Nashua three thousand, so that said paragraph as amended shall read as follows:

I. *Salaries of Justices.* Salaries of justices of municipal courts shall be paid from the treasury of the city or town in which such courts are located, may be paid quarterly or monthly, and shall be in the following sums per annum:

In Manchester, four thousand six hundred dollars;
In Nashua, three thousand dollars;
In Concord, three thousand five hundred dollars;
In Portsmouth, one thousand eight hundred dollars;
In Dover, one thousand eight hundred dollars;
In Laconia, one thousand eight hundred dollars;
In Keene, one thousand eight hundred dollars;
In Claremont, one thousand eight hundred dollars;
In Berlin, twenty-two hundred dollars;
In Rochester, one thousand two hundred dollars;
In Lebanon, one thousand five hundred dollars;
In Newport, nine hundred dollars;
In Derry, nine hundred dollars;
In Franklin, one thousand two hundred dollars;
In Exeter, eight hundred dollars;
In Somersworth, eight hundred dollars;
In Littleton, eight hundred dollars;
In Milford, six hundred dollars;

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Associate Justice.* Amend section 4 of chapter 377 of the Revised Laws as amended by chapters 179 and 260 of the Laws of 1947, chapters 26, 105 and 213 of the Laws of 1953, and by section 1 of an Act of the 1953 session relative to salaries of the justices of the municipal courts of Berlin and Franklin, by striking out the words "Nashua fifteen hundred" and inserting in place thereof, Nashua seventeen hundred, so that said section is amended to read as follows:

4. *Compensation of Special Justices.* The special justice and justice of the peace requested to sit owing to the disqualifications of the justice and special justice shall be paid, from the treasury of the city or town wherein said court is located, ten dollars a day for each day or part thereof that he shall

serve in said capacity, provided that the annual salaries of the special justices of the municipal courts of the following cities and town shall be as follows, of Manchester two thousand dollars, of Nashua seventeen hundred dollars, of Dover two hundred dollars, of Concord one thousand dollars, of Portsmouth four hundred dollars, of Laconia two hundred dollars and of Hampton one hundred and fifty dollars, to be paid by said cities and town, respectively, quarterly, and shall be in lieu of any other compensation or fees to such justices; provided, further, that the special justice of the municipal court of Berlin shall be paid from the treasury of the city six hundred dollars per annum.

On motion of Mrs. Cooper of Nashua the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that:

The Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 72, An Act relative to procedure to be followed in state construction contracts and as to authority of public works and highways department.

Amend section 4 of said bill by striking out the first three lines and inserting in place thereof the following:

4. *Working Capital.* Amend section 5-a, chapter 22, Revised Laws, as inserted by section 2 of chapter 21 of the Laws of 1943, and as amended by section 2, chapter 252, Laws of 1951, and section 2, chapter 111, Laws of 1953, by striking out said section and inserting.

On motion of Mr. Moore of Bradford the House concurred in the adoption of the amendments proposed by the committee on engrossed bill.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 158, An Act relating to the registration of pleasure-car type motor vehicles.

Amend said bill by striking out the last section of the bill and inserting in place thereof the following:

7. *Takes Effect.* This act shall take effect as of April 1, 1954.

On motion of Mr. Rathbone of Exeter the House concurred in the adoption of the amendments proposed by the committee on engrossed bills.

The bill was then sent to the Secretary of State to be engrossed.

Resolution

Mr. Moore of Bradford offered the following resolution:

Whereas, today, June the 17th, is the 178th anniversary of the Battle of Bunker Hill, and

Whereas, New Hampshire's quota of patriots fighting under General John Stark and Colonel John Moore at said Bunker Hill was greater than that of any other state, now therefore be it

Resolved, That we, the members of this House of Representatives do hereby pay tribute to those glorious patriots who fought at that battle, leaving their plows in the field, their homes and their families to go into battle to fight for the liberty of a new nation, upholding the motto of our state "Live free or die."

On a *viva voce* vote the resolution was adopted.

Recess

After Recess

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bill with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 285, An Act relative to labor disputes and unemployment compensation.

Amend paragraph (4) of sub-section D, as amended by section 1 of the bill by striking out the words "one week" and inserting place thereof the words, two weeks, so that said section as amended shall read as follows:

1. *End of Labor Disputes.* Amend subsection D of section 4 of chapter 218 of the Revised Laws as amended by sec-

tion 5, chapter 185, Laws of 1949, by striking out the said subsection and inserting in place thereof the following: D. For any week with respect to which the commissioner finds that his total or partial unemployment is due to a stoppage of work which exists because of a labor dispute at the factory, establishment, or other premises at which he is or was last employed, provided that this subsection shall not apply if it is shown to the satisfaction of the commissioner that:

Either, (1) He is not participating in or financing or directly interested in the labor dispute which caused the stoppage of work; and

(2) He does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage, there were members employed at the premises at which the stoppage occurs, and of whem are participating in or financing or directly interested in the dispute; provided that if any case separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises each such departmement shall, for the purposes of this subsection, be deemed to be a separate factory, establishment, or other premises; or

(3) The stoppage of work was due solely to a lock-out or the failure of the employer to live up to the provision of any agreement or contract of employment entered into between the employer and his employees, or

(4) The stoppage of work has continued for a period of two weeks after the termination of the labor dispute.

Further amend the bill by adding after section 1 of the following new sections, sections 2 and 3:

2. *Personnel: Duties of Director.* Amend section 10 of chapter 9 of the laws of 1950 by adding the following new paragraph: XVII. To certify eligible personnel according to sex when requested by the appointing authority.

3. *Motor Vehicle Violations.* Amend section 3 of chapter 239 of the Laws of 1953 by inserting after the words "appear by counsel" the words, or by any citizen of good character, so that said section, as amended, shall read as follows: 3. *Moto Vehicle Violations.* Amend chapter 118 of the Revised Laws by inserting after section 30-a, as inserted by section 6, chapter 20, Laws of 1951, the following new section: 30-b. *By Counsel*

or Others. Any person charged with violation of the provisions of any law relative to the use and operation of motor vehicles, except where the penalty involves imprisonment, may, without personal appearance, appear by counsel or by any citizen of good character in answer to said charge.

Further amend the bill by renumbering section 2 to read section 4.

On motion of Mr. Flanagan of Dover the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 7 (in new draft), An Act providing for salaries of unclassified state officials, and establishing certain positions.

Amend section 1 of the bill by striking out the entire section and inserting in place thereof the following new section:

1. *Salaries Established.* The annual salaries for the positions set forth shall be established as follows:

I.

Governor	$12,000
Council	$20 per diem
Each justice of the supreme court	$12,000
Each justice of the superior court	$12,000

II.

	Minimum	*Maximum*
Adjutant general	$7,500	$8,625
Ass't attorney general (three)	7,000	8,050
Assistant commissioner, public works and highways	8,000	9,200
Assistant director of recreation	5,500	9,200
Assistant state librarian	4,500	5,175
Assistant superintendent, state hospital	7,500	8,625
Attorney general	9,000	10,350
Bank commissioner	7,500	8,625
Business supervisor	6,000	6,900
Chairman, water resources board	**5,500	6,325
Clerk of supreme court and court reporter	6,500	7,475
Commandant, Soldiers' Home	3,800	4,370

Commandant, Soldiers' Home	3,800	4,370
Commissioner of agriculture	7,500	8,625
Commissioner of education	9,000	10,350
Commissioner of public welfare	9,000	10,350
Commissioner, public works and highways	9,000	10,350
Comptroller	9,000	10,350
Deputy attorney general	8,000	9,200
Deputy bank commissioners (two)	5,500	6,325
Deputy commissioner, public works and highways	8,000	9,200
Deputy director of personnel	6,500	6,325
Deputy insurance commissioner	6,500	7,475
Deputy motor vehicle commissioner	6,500	7,475
Deputy secretary of state	6,500	7,475
Deputy state treasurer	5,500	6,325
Deputy superintendent, industrial school	4,500	5,175
Deputy warden, state prison	4,500	5,175
Director, division of accounts	6,500	7,475
Director, division of employment security	7,000	8,050
Director, division of purchase and property	7,000	8,050
Director of aeronautics	6,000	6,900
Director of civil defense	4,500	5,175
Director, fish and game department	6,500	7,475
Director, mental hygiene and child guidance clinics	7,500	8,625
Director of personnel	6,500	7,475
Director of probation	5,500	6,325
Director of recreation	7,000	8,050
Director, Veterans Council	4,500	5,175
*Executive director of planning and development	7,500	8,625
Insurance commissioner	7,500	8,625
Labor commissioner	6,000	6,900
Liquor commissioners (three)	7,500	8,625
Motor vehicle commissioner	7,500	8,625
Parole officer	5,000	5,750
President, teachers college (two)	7,500	8,625
Public utilities commissioners (three)	8,500	9,775
Secretary of state	7,500	8,625

Secretary, Tax commission	7,500	8,625
State fire marshal	5,500	6,325
State forester	6,500	7,475
State health officer	9,000	10,350
State librarian	6,000	6,900
State veterinarian	7,000	8,050
State treasurer	7,500	8,625
Superintendent, industrial school	6,500	7,475
Superintendent, Laconia state school	7,500	8,625
Superintendent, state hospital	9,500	10,925
Superintendent, state police	7,500	8,625
Superintendent state sanatorium	7,500	8,625
Tax commissioners (two)	6,500	7,475
Warden, state prison	7,000	8,050

*There shall be no funds appropriated under this act for the current biennium for this office.

**Any additional funds which may become available to the water resources board on account of additional projects, may be used to increase the salary of the chairman of said board by such amount as may be determined by the governor and council.

Amend section 2 of the bill by striking out the entire section and inserting in place thereof a new section 2, as follows:

2. *Automatic Increases.* I. Effective July 1, 1953, the annual salary of each official holding any of the positions named in section 1 shall be the minimum salary provided for therein except as otherwise provided. Any such official whose salary on June 30, 1953 is in excess of said minimum provided for his position shall be placed at the next higher step in the range and shall be entitled to any increase provided for herein until the maximum is reached. Provided further that any such official having had ten years or more continuous service for the state shall be placed at the next higher step in the range.

II. Any official whose salary upon placement in the new salary range is less than that of a classified employee in his department shall be placed at the next higher step in range above said classified employee and shall be entitled to any increase provided for herein until the maximum is reached.

Amend section 17 by striking out the entire section and inserting in place thereof a new section as follows:

17. *Appropriation.* The sum of sixty-five thousand dol-

lars ($65,000) or so much thereof as may be necessary, for the fiscal year ending June 30, 1954, and the sum of eighty-six thousand dollars ($86,000), or so much thereof as may be necessary, for the fiscal year ending June 30, 1955, are hereby appropriated to provide the funds for salaries increases provided for herein. The comptroller is hereby authorized to determine what part of the said appropriations hereunder shall be a charge upon the highway funds, federal funds and fish and game funds, respectively, and the balance of said appropriations shall be a charge upon the general funds.

On motion of Mr. McMeekin of Haverhill reading of the amendment was dispensed with.

Mr. McMeekin of Haverhill moved that the House nonconcur in the amendments sent down from the Honorable Senate and asks for a committee of conference.

The question being on the motion.

(Discussion Ensued)

Mr. Angus of Claremont spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of such committee on the part of the House, Mr. Pillsbury of Manchester, Miss Loizeaux of Plymouth and Mr. Baron of Claremont.

House Bill No. 371, An Act relative to the computation of mileage allowances for legislative members from certain towns.

Amend section 2 of the bill by adding at the end thereof the words "and shall expire on the last Wednesday of December 1954," so that said section as amended shall read as follows:

2. *Takes Effect.* This act shall take effect as of January 7, 1953 and shall expire on the last Wednesday of December 1954.

On motion of Mr. Crandall of Dover the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

Recess

After Recess

Senate Message

A message sent down from the Honorable Senate by its

clerk, announced that the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 21, An Act to legalize a Pittsfield bond issue, action by the Belknap county convention, meetings of the Lower Bartlett Water Precinct, a precinct meeting in the Town of Haverhill, and to provide for an interim commission to recommend reorganization of tax structure.

Senate Bill Read and Referred

Senate Bill No. 21, An Act to legalize a Pittsfield bond issue, action by the Belknap county convention, meetings of the Lower Bartlett Water Precinct, a precinct meeting in the Town of Haverhill, and to provide for an interim commission to recommend reorganization of tax structure, was read a first and second time and referred to the Committee on Appropriations.

On motion of Mr. McMeekin of Haverhill the two day notice of a public hearing under rule 47 was dispensed with.

Introduction of a Joint Resolution

On motion of Mr. Pillsbury of Manchester the rules were suspended to allow for the introduction of a Joint Resolution.

House Joint Resolution No. 58, joint resolution in favor of Lloyd E. Fogg, and others was read a first and second time, and referred to the Committee on Appropriations.

On motion of Mr. McMeekin of Haverhill the rules were so far suspended as to dispense with the printing and of the two day notice for a public hearing under rule 47.

Senate Message

A message sent down from the Honorable Senate, by its clerk, announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 432, An Act amending the unemployment compensation law.

Amend the bill by inserting after section 5 the following new sections 5-a.

Amend chapter 148 of the Laws of 1951 by adding the following new section 9-b. In determining the "adjusted valuation" as provided in section 9 above, the Tax Commission shall consider only those sources of income specifically listed in said section.

1. *Public Welfare.* Amend chapter 130 of the Revised Laws as inserted by chapter 243 of the Laws of 1949 by striking out section 2 of chapter 130 of the Revised Laws as inserted and inserting in place thereof the following:

2. *Child-Caring Agency.* A child-caring agency is defined for the purposes of this chapter as any person, firm, corporation or association who operates or maintains a boarding home or foster home for children or who receives for foster care, control or custody one or more children under the age of sixteen years unrelated by blood or marriage and separated from parent or guardian, except children committed by a court. The term "child-caring agency" shall not include a bona fide summer camp, a hospital, a day nursery school, a public school, a private school approved by the state board of education or a private home in which a child is left by his parent or guardian for temporary care for a period not exceeding thirty days in any calendar year. Such private home shall keep a register of the name and address of each such child, the name and address of his parent or guardian and the dates of his arrival and departure. Such register shall be available at any time for the inspection of the Commissioner of Public Welfare or his authorized representative.

On motion of Mr. Angus of Claremont reading of the amendment was dispensed with.

On motion of Mr. Angus of Claremont the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that:

The Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 7 (in new draft), An Act providing for salaries of unclassified state officials, and establishing certain positions, and the President has appointed as members of such a committee on the part of the Senate, Senators Cummings and Jones.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

Announcement

The Speaker announced the permanent appointment of Randolph H. Milligan as Assistant Warden of the Coat Room, vice Randolph H. Milligan as temporary assistant warden of the Coat Room.

Afternoon

The House was immediately called to order in afternoon session.

On motion of Mrs. Maynard of Fitzwilliam at 5:20 o'clock the House adjourned.

THURSDAY, JUNE 18, 1953

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Most gracious God, on Whom we have called for guidance and to Whom we have looked for wisdom during this session of the General Court, we return to Thee our heartfelt thanks for Thy interest in all we have done or attempted to do. If we have left undone the things Thou wouldst have had us do, we sincerely implore Thy forgiveness; if we have done that that meets Thine approval, we are grateful that it has been our privilege to work with Thee and for Thee. We beseech Thee, O God. to bless our State — her industries, her social and religious interests. Endue with the spirit of wisdom, those to whom in Thy name we have entrusted the authority of government, that there may be justice, peace and prosperity in our Commonwealth. Through Jesus Christ our Lord. *Amen.*

Leaves of Absence

Mesdames Hayes of Northumberland and Millar of Claremont and Messrs. Whittier of Bethlehem and Hadley of Hillsborough were granted leave of absence for the day on account of important business.

Report of Committee on Engrossed Bills

Mrs. Mahoney of Concord for the Committee on En-

grossed Bills reported that they had examined and found correctly engrossed the following entitled House Bills:

House Bill No. 4, An Act establishing the municipal finance act.

House Bill No. 371, An Act relative to the computation of mileage allowances for legislative members from certain towns.

House Bill No. 128, An Act to increase the salaries of the justices of the Nashua municipal court.

House Bill No. 158, An Act relating to the registration of pleasure-car type motor vehicles, of antique motor cars and of driver training vehicles.

House Bill No. 72, An Act relative to procedure to be followed in state construction contracts and as to authority of public works and highways department.

The report was accepted.

Resolution

Mr. Rathbone of Exeter offered the following resolution:

Today being the anniversary date of the birth of two Exeter Representatives, Representative Maude Richards and Representative Edwin Winter Eastman, the Senior and Junior members, respectively, from this pre-eminent Republican stronghold, Now therefore be it

Resolved, That the best wishes of their fellow members be extended to them on this eventful occasion and that many more years of loyal service to their community and state be alloted to them, with the added hope that their shadows may never grow less, nor their faith grow dim in the conviction that good deeds well done have their just reward, and be it further

Resolved, That when the house adjourns today it adjourn in honor of these two representatives.

On a *viva voce* vote the resolution was adopted.

Committee Reports

Mr.Pillsbury of Manchester for the Committee on Appropriations to whom was referred House Joint Resolution No. 58, Joint Resolution in favor of Lloyd E. Fogg and others. Having considered the same, reported the same with the recommendation that the Joint Resolution ought to pass.

The report was accepted and the bill ordered to a third reading.

Third Reading

On motion of Mr. McMeekin of Haverhill the rules were so far suspended as to allow the third reading and final passage, by caption only, at the present time, of House Joint Resolution No. 58.

House Joint Resolution No. 58, Joint Resolution in favor of Lloyd E. Fogg and others, was then read a third time and passed and sent to the Senate for concurrence.

Mr. Baron of Claremont for the Committee on Appropriations to whom was referred Senate Bill No. 21, An Act to legalize a Pittsfield bond issue, action by the Belknap county convention, meetings of the Lower Bartlett Water Precinct, a precinct meeting in the town of Haverhill, and to provide for an interim commission to recommend reorganization of tax structure. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

The report was accepted.

Mr. Pillsbury of Manchester moved that the words "ought to pass" be substituted for the report of the committee.

The question being on the motion to substitute.

(Discussion Ensued)

Messrs. Pillsbury of Manchester, Perley of Lebanon, Griffin of Lincoln, Cilley of Concord, Cole of Lebanon, and Wadleigh of Milford, and Mesdames Frizzell of Charlestown, Loizeaux of Plymouth, and Atkins of Hanover, spoke in favor of the motion.

Messrs. Baron of Claremont, Fernald of Rochester, Rathbone of Exeter, Waling of Keene, Rainie of Concord, and Benson of Concord, spoke against the motion.

Mr. Spaulding of Hudson moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the words "ought to pass."

Mr. Spaulding of Hudson demanded the yeas and nays and the roll was called with the following result:

Yeas — 161

HILLSBOROUGH COUNTY: Holmes of Amherst, Robinson, Wiggin, Black, Jennings, Reed of Goffstown, English, Goodwin of Hollis, Spaulding, Warren, Corliss, Saidel, Cain, Geisel, Pillsbury, Robb, Connor, Wadleigh, Cooper, Shea of Nashua, Locke of New Boston, Thompson of New Ipswich, Cummings, Dutton.

CHESHIRE COUNTY: Maynard of Fitzwilliam, Belletete, Spofford, Sweeney of Keene, Landers, Wheeler, Heald, Codding, Faulkner, Barton, Carlton, Sherwin, Kershaw, Killeen, Rhodes, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Frizzell, Angus, Converse, Firestone, Davis of Cornish, Smith of Langdon, Wirkkala, Holden of Newport, Jordan, Metcalf of Springfield, DeLude.

GRAFTON COUNTY: Gingras, Plumer, Willey, Eggleston, Brown of Easton, Peabody, Williams, Atkins, Fuller, Hayward, McMeekin, Sleeper, Adams of Lebanon, Ashley, Cole, Jones, Fred of Lebanon, Perley, Griffin of Lincoln, Fox, Gardner of Littleton, Longchamps, Martin, Dixon, Howard, Loizeaux, Barney, Horner, Anderson, Woodward, Sawyer.

COOS COUNTY: Brungot, Alls, Emerson, Simonds, Swett, Boutain.

ROCKINGHAM COUNTY: Brock, Griffin of Auburn, Dudley, Wastcoat, Barka, Clark of Derry, Hepworth, Ladd, Eastman, Richards, Jones of Fremont, Weeks of Greenland, Ring, Thurlow, MacDonald, Wells, Pinkham, McDaniel, Seel, Foote, Murch, Yeaton, Wardwell, Smart, Scamman.

STRAFFORD COUNTY: Swain, Chase, Fellows, Webb, Connell, Crandall, Locke of Dover, Stearns, Blanchard, Studley, Brown of Strafford.

BELKNAP COUNTY: Roeder, Hart, O'Shan, Brown of Laconia, Varrell, Matthews, Metcalf of Tilton.

CARROLL COUNTY: Morey, Kimball of Moultonborough, Diffenderfer.

MERRIMACK COUNTY: Hyde, Holmes of Boscawen, Moore, Vogel, Marden, Hayes, Otis, Lessels, Saltmarsh, Cilley, Walker of Concord, Mahoney, Comi, Nawn, Sargent, Nutter, Broadhurst Douphinette, Leonard, Patenaude, Brown of Loudon, Lamson, Wilman, Young, Powell, Youmans.

Nays — 150

HILLSBOROUGH COUNTY: Farwell, Hambleton, Poore, Adams of Greenfield, Fortin, Abbott, Lang of Manchester, Danforth, Horan, Sullivan, Fitzgerald, Kean, Nolan, Betley, Healy of Manchester, Ward 5, Shea of Manchester, Callahan, Clancy, Healy of Manchester, Ward 6, Ecker, LeClerc, Tessier, Constant, Delisle, Genest, Cary, Auger, Bergeron, O'Neil, Attalla, Laureau, Soucy of Manchester, Ward 12, Vaillancourt, Dupont, Gauthier, Lesmerises, Cannon, Donnelly, Peaslee of Merrimack, Deans, Falconer, Ramsdell, Boire, Belcourt, Morrissette, Ayers, Maynard of Nashua, Dionne, Chartrain, Ryan, Dugas, Dutilly, Grandmaison, Bouthillier, Dumais, Barry.

CHESHIRE COUNTY: Thomas, Maloney, Clark of Harrisville, Smith of Hinsdale, Bennett, Waling, Blake, Lang of Troy, Billings.

SULLIVAN COUNTY: Howe, Nahil, Baron, Marcotte of Claremont, Stone, Perry, Gamsby.

GRAFTON COUNTY: Chamberlin of Bath, Holden of Hanover, Jones, Victor of Lebanon, Bell of Plymouth.

COOS COUNTY: Christiansen, Fontaine, Oakes, Robinson, Ross, Kimball of Jefferson, Potter, Hilliard, Weeks of Stewartstown, Stinson.

ROCKINGHAM COUNTY: Rathbone, Spollett, Merrill of Hampton, Eastman, Parmenter, McCaffrey, Sheehy, Holden of Newington, LaBranche, Carter, Barrett, Hundley, Payette, Sadler, Leary, Ingraham, Mafera, Philbrick, Haigh, Noyes, Waterhouse.

STRAFFORD COUNTY: Leighton, Grimes, Marcotte of Dover, Flanagan, Funkhouser, Littlehale, Wormhood, Rolfe, Maxfield, Nelson, Lacasse, St. Pierre, Fernald, Letourneau.

BELKNAP COUNTY: McAllister, Gardner of Gilford, Robertson, Stafford, Morin, Simoneau, Tilton of Laconia, Burbank, Kipp, Smith of Meredith, Atwood.

CARROLL COUNTY: Benson, Downs, Mudgett, Hodge, Nickerson, Hodgdon, Ford.

MERRIMACK COUNTY: Flanders, Ferrin, Tebbetts, Corbett, Jewett, Rainie of Concord, Burke, Thompson of Franklin, Dudevoir, Mulaire, Davis of Hopkinton.

Pairs

Mr. Whittier of Bethlehem voting Yes paired with Mr. Peever of Salem voting No.

And the motion to substitute prevailed.

Mr. Blake of Swanzey offered the following amendment.

Amend said bill by inserting after section 6 the following new section:

7. *Troy School District.* The votes and proceedings at a special meeting of Troy School district held on June 8, 1953, hereby legalized, ratified and confirmed. The action of the district in raising and appropriating funds and the issuance of serial bonds or notes to the amount of one hundred and forty three thousand dollars ($143,000) at said meeting for school purposes are hereby legalized, ratified and confirmed.

Further amend said bill by renumbering section 7 to read section 8.

The question being on the amendment.

(Discussion Ensued)

Mr. Blake of Swanzey spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Third Reading

On motion of Mr. Pillsbury of Manchester the rules were suspended to allow the third reading and final passage, by title only at the present time of Senate Bill No. 21.

Senate Bill No. 21, An Act to legalize a Pittsfield bond issue, action by the Belknap county convention, meetings of the Lower Bartlett Water Precinct, a precinct meeting in the town of Haverhill, and to provide for an interim commission to recommend reorganization of tax structure, was read a third time and passed and sent to the Senate for concurrence in the amendment.

Reconsideration

Mr. Spaulding of Hudson moved that the House reconsider its vote whereby the House passed Senate Bill No. 21, An Act to legalize a Pittsfield bond issue, action by the Belknap county convention, meetings of the Lower Bartlett Water Precinct, a precinct meeting in the town of Haverhill, and to provide for an interim commission to recommend reorganization of tax structure.

The question being on the motion to reconsider.

On a *viva voce* vote the motion did not prevail.

Resolution

Mr. Pillsbury of Manchester offered the following resolution:

Whereas Ralph H. "Deak" Morse, State director of publicity has gone into private business for himself, and

Whereas his services to the state have been of inestimable value in promoting its general welfare, and his efforts have won lasting repute to himself as well, therefore.

Be It Resolved that the 1953 House of Representatives hereby records its appreciation of "Deak" Morse's public services, and wishes him the best of fortune in his new venture.

Be It Also Resolved that a copy of these sentiments be presented to him.

On a *viva voce* vote the resolution was adopted.

Mr. Bergeron of Manchester offered the following resolution:

Whereas, Walter F. McCarthy, Representative from Ward 11, Manchester, graduated from Manchester West High School on Tuesday June 16, and

Whereas, Representative McCarthy is to be married next Saturday, June 20, therefore be it

Resolved, That we, the Members of the House of Representatives, hereby extend our hearty congratulations to our fellow member in achieving this goal in his school life and also express our very best wishes to him and the future Mrs. McCarthy for a long and happy married life, and be it further

Resolved, That the Clerk of the House transmit to Representative McCarthy a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

Mr. Chase of Dover offered the following resolution:

Whereas, we have learned of the tragic death of Captain F. T. Evans, Jr., son of Col. F. T. Evans, U.S.M.C. Ret. and Mrs. Evans of Alexandria, Va, former residents of West Springfield and Newport, N H., and

Whereas, Captain Evans was the son-in-law of Mr. and Mrs. Arthur H. Metcalf, Mr. Metcalf being Representative from Springfield and

Whereas, Captain Evans was a member of the 9th Air Force in World War II and flew one hundred and one missions in France and held many decorations for his services and

Whereas, Captain Evans while stationed at Andrews Field at Washington, D. C., was on his last flight when his plane became disabled in the vicinity of a school house filled with children and that Captain Evans remained at the controls of his plane instead of bailing out, directing his plane into nearby woodland and averting a tragedy at the cost of his own life, therefore be it

Resolved, that we extend our heartfelt sympathy to the bereaved wife and our fellow representative, and be it further

Resolved, that the Clerk transmit a copy of these Resolutions to his widow Mrs. F. T. Evans, Jr.

On a *viva voce* vote the resolution was adopted.

Committee of Conference Report

The Committee of Conference to whom was referred Senate Bill No. 77, An Act relative to child labor, having considered the same recommend that the House recede from its position in the adoption of its amendments and that the Senate recede from its position of nonconcurrence and that the Senate and House adopt the following amendmens to the bill:

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Employment Hours.* Amend section 23 of chapter 137 of the Revised Laws by striking out said section and inserting in place thereof the following: 23. *Hours.* Except as provided in chapter 212, no minor under the age of sixteen years, shall be employed, or permitted or suffered to work at any gainful occupation, other than domestic service or work on a farm, more than fifty-four hours in any one week, nor more than ten and one-quarter hours in any one day; nor before the hour of half-past six o'clock in the morning, nor after the hour of seven o'clock in the evening, except (1) that boys twelve years old or over may deliver newspapers after five o'clock in the morning or between four and eight o'clock in the evening, and (2) that a boy twelve years old or over may act as caddy at golf links.

2. *Prosecutions.* Amend section 48 of chapter 137 of the Revised Laws by striking out said section and inserting in place thereof the following: 48. *By Commissioner of Labor.* It is the duty of the commissioner of labor to prosecute offenses against the provisions of this chapter. The expenses incurred in such proceedings shall be paid by the county.

3. *Penalty.* Amend section 39 of chapter 137 of the Revised Laws by striking out said section and inserting in place thereof the following: 39. *Employer.* Whoever employs any child, and whoever permits or suffers any child under his control as parent, guardian or otherwise, to be employed or to work in violation of any of the foregoing provisions of this chapter, shall be fined not more than five hundred dollars, or imprisoned not more than thirty days, or both.

4. *Takes Effect.* This act shall take effect upon its passage.

FREDERICK W. FLETCHER
FRANCIS J. HEROUX
Conferees on the part of the Senate

GEORGE W. ANGUS
MARTIN J. O'NEIL
CHARLES P. HALEY
Conferees on the part of the House

The question being on agreeing to the report.

On motion of Mr. Angus of Claremont the report was agreed to.

Recalled from Governor

On motion of Mr. Angus of Claremont House Bill No. 432, An Act amending the unemployment compensation law was recalled from the Governor for further consideration.

Reconsideration

Mr. Angus of Claremont moved that the House reconsider its vote whereby the House voted to concur in the amendments sent down from the Honorable Senate on House Bill No. 432.

The question being on the motion to reconsider.

(Discussion Ensued)

Messrs. Angus of Claremont and Vaughan of Newport spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Angus of Claremont moved that the House non-concur in the amendments sent down from the Honorable Senate and asked that a Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed, and the Speaker

appointed as members of such committee on the part of the House, Messrs. Vaughan of Newport, Angus of Claremont, and Mrs. Nutter of Epsom.

Senate Message

A message sent down from the Honorable Senate by its Clerk announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 434, An Act to provide for a central commissary bakery at the state prison.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act Providing for supplemental appropriations for state institutions.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Appropriation.* The sum of forty-four thousand and thirty-five dollars ($44,035.00) is hereby appropriated for the purposes and in the amounts specified in this section as follows:

For Laconia state school for equipment for bakery		$4,500.00
For the state hospital for alterations to bakery and for equipment for bakery		17,000.00
For state prison:		
For equipment for bakery	$7,535.00	
For equipment for laundry	15,000.00	
		22,535.00
Total		$44,035.00

2. *Additional Appropriation.* The sum of six thousand three hundred sixty dollars ($6,360.00) is hereby appropriated for additional personal services for custodial care at the state hospital for the fiscal year ending June 30, 1955. The governor is authorized to draw his warrant for the sums appropriated under this section out of any money in the treasury not otherwise appropriated.

3. *Use of Funds.* The sums as appropriated for each project of section 1 shall be used only as allotted.

4. *Bonds and Notes Authorized.* To provide funds for the appropriation made by section 1 hereof the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state not exceeding the sum of forty-four thousand and thirty-five ($44,035.) dollars and for said purposes may issue bonds and notes in the name and on behalf of the state of New Hampshire. The governor and council shall determine the form of such bonds or notes, their rate of interest, the dates when interest shall be paid, the dates of maturity, the places where principal and interest shall be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The payment of principal and interest on bonds or notes issued for the purposes of this act shall be made when due, by the state treasurer and shall be a charge against the general fund.

5. *Proceeds from Sale.* The proceeds of the sale of said bonds or notes shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act alone. The governor, with the advice and consent of the council, shall draw his warrants for the payments from the funds provided for herein of all funds expended or due for the purposes herein authorized.

6. *Accounts.* The secretary of state and the state treasurer shall keep accounts of all such bonds or notes countersigned by the governor as accounts of other state bonds or notes are kept.

7. *Short Term Notes.* Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no one time shall the indebtedness of the state on such short term loans exceed the sum of forty-four thousand and thirty-five dollars ($44,035.00).

8. *Sale of Bonds or Notes.* All bonds or notes except short term loans issued under the provisions of this act shall be sold (1) at public sealed bidding (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire and in a financial publication

of national circulation, the first publication being not less than thirty days prior to the day the bids will be received, and (3) to the highest bidder. The governor and council may reject any or all bids and may negotiate for said sale upon terms which it may deem most advantageous to the state.

9. The balance of the appropriation for the new bakery at the state hospital, provided by chapter 254, of the Laws of 1951, shall not lapse until July 1, 1956 and said funds shall be used for the following purposes at the state hospital:

For alterations to bakery and equipment for bakery	$8,000.00
For construction of building and facilities for sexual psychopaths	100,000.00
Total	$108,000.00

10. *Contracts.* All contracts entered into by the state for any of the projects hereinbefore mentioned shall be awarded to the lowest responsible bidder submitting a sealed bid after an advertisement calling for bids has been published at least once in each of two successive weeks in a newspaper in general circulation in New Hampshire. The first publication of such advertisement shall be not less than fourteen days prior to the date bids are received. Contracts shall be awarded in accordance with section 13, chapter 90-A of the Revised Laws, as inserted by part 9, chapter 5, Laws of 1950.

11. *Takes Effect.* Section 2 of this act shall take effect as of July 1, 1954, the remaining sections of this act shall take effect upon the passage of this act.

On motion of Mr. McMeekin of Haverhill reading of the amendment was dispensed with.

Mr. McMeekin of Haverhill moved that the House nonconcur in the amendments sent down from the Honorable Senate and that a Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed and the Speaker appointed as members of such committee on the part of the House Messrs. Davis of Hopkinton, Hodgdon of Tuftonborough and Betley of Manchester.

Concurrent Resolution

Mr. Moore of Bradford offered the following concurrent resolution:

Resolved by the House of Representatives the Senate concurring:

That it is the sense of this session of the legislature that state officials and employees should be reimbursed for mileage when using their own motor vehicles, at the rate of seven cents per mile. A copy of this resolution shall be forwarded to the Governor and council with request that rules and regulations be adopted in conformity with this resolution.

The question being on the concurrent resolution.

(Discussion Ensued)

Mr. Moore of Bradford spoke in favor of the resolution.

(Mr. Scamman in Chair)

Mr. Pillsbury spoke against the resolution.

On a *viva voce* vote the concurrent resolution was not adopted.

Recess

Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that:

The Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 377, An Act making an appropriation for capital improvements and long term repairs for the State of New Hampshire.

Amend section 1 of the bill by striking out and inserting in place thereof the following:

1. *Appropriation.* The sum of one million seven hundred seven thousand seven hundred twenty-three dollars ($1,707,723.) is hereby appropriated for the purpose of capital improvements and long term repairs, which purpose includes such related improvements, facilities, equipment and furnishings as are necessary to complete the same, as hereinafter set forth.

Amend paragraph IV of section 2 as follows; by striking out the words and figures "Laundry alterations 35,000.; by striking out the words and figures "Freezer locker 8,000."; by striking out the figure "724,730." and inserting in place thereof the figure $681,730.

Amend paragraph VI of section 2 as follows: by striking out the words and figures "Central bakery-commissary 70,000."; by striking out the figure "$149,220." and inserting in place thereof the figure $79,220.

Amend paragraph IX of section 2 as follows; by striking out the words and figures "Auditorium—gymnasium 300,000." and inserting in place thereof the words and figures Auditorium—gymnasium 375,000.; by striking out the figures "$431,500." and inserting in place thereof the figures $506,500.

Further amend section 2 by striking out after paragraph XII the words and figures "Total $1,745,723." and inserting in place thereof the words and figures, Total $1,707,723.

Amend section 4 of the bill by striking out and inserting in place thereof the following:

4. *Funds Provided.* For the purposes of this act one million seven hundred seven thousand seven hundred twenty-three dollars (1,707,723.) is hereby raised as hereafter provided.

Amend section 5 of the bill by striking out and inserting in place thereof the following:

5. *Borrowing Power.* The state treasurer is hereby authorized under the direction of the governor and council to borrow upon the credit of the state not exceeding the sum of one million seven hundred seven thousand seven hundred twenty-three dollars ($1,707,723.) for the purpose of carrying into effect the provisions of this act and for that purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire. The governor and council shall determine the form of such bonds or notes, their rate of interest, the dates when interest shall be paid, the dates of maturities, the places where principal and interest shall be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

Amend section 9 of the bill by striking out and inserting in place thereof the following:

9. *Short Term Notes.* Prior to the issuance of the bonds and notes hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no one time shall the indebtedness of the state on such short term loans exceed the sum of one

million seven hundred seven thousand seven hundred twenty-three dollars ($1,707,723.).
ing new section:

12. *State Sanatorium.* Amend paragraph IV of section 1 of chapter 254 of the Laws of 1951 by striking out the words and figures "Pasteurization 10,000" and by striking out the words and figures "Sand filter and chlorination 10,000." and inserting in place thereof the words and figures, Alteration to milk room, water and sewerage systems 20,000.

The appropriation for the State Sanatorium found in said paragraph IV shall not lapse but shall be available for expenditure for the purposes specified until June 30, 1955.

Furthe amend the bill by renumbering Section "12" to read 13.

On motion of Mr. McMeekin of Haverhill reading of the amendment was dispensed with.

Mr. McMeekin of Haverhill moved that the House nonconcur in the amendments sent down from the Honorable Senate and asked that a committee of conference be appointed.

On a *viva voce* vote the motion prevailed and the Speaker appointed as members of such committee on the part of the House Messrs. Davis of Hopkinton, Hodgdon of Tuftonboro, and Betley of Manchester.

The message further announced that:

The Senate had voted to adopt the report of the Committee of Conference on Senate Bill No. 77, An Act relative to child labor.

The message further announced that:

The Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 21, An Act to legalize a Pittsfield bond issue, action by the Belknap county convention meetings of the Lower Bartlett Water Precinct, a precinct meeting in the Town of Haverhill, and to provide for an interim commission to recommend reorganization of tax structure.

The message also announced that:

The Senate had voted to accede to the request of the House of Representatives for a committee of conference on House Bill No. 434, An Act to provide for a central commissary bakery at the state prison and the President has appointed as

members of such a committee on the part of the Senate Senators Keller and Rowell.

House Bill No. 432, An Act amending the Unemployment Compensation Law, and the President has appointed as members of such a committee on the part of the Senate Senators Fletcher and Durell.

Recess

After Recess

Committee of Conference Report

The Committee of Conference to whom was referred House Bill No. 432, entitled An Act amending the unemployment compensation law, having considered the matter, report the same with the following recommendations: That the Senate recede from its position in adopting its amendments to the bill, that the House recede from its position of nonconcurrence in said amendment, and that the Senate and House adopt the following amendments to said bill:

Amend said bill by inserting after section 5 the following new section:

6. *Definitions under Public Welfare Laws.* Amend section 2 of chapter 130 of the Revised Laws, as inserted by chapter 243 of the Laws of 1949, by striking out said section and inserting in place thereof the following:

2. *Child-Caring Agency.* A child-caring agency is defined for the purposes of this chapter as any person, firm, corporation or association who operates or maintains a boarding home or foster home for children or who receives for foster care, control or custody one or more children under the age of sixteen years unrelated by blood or marriage and separated from parent or guardian, except children committed by a court. The term "child-caring agency" shall not include a bone fide summer camp, a hospital, a day nursery school, a public school, a private school approved by the state board of education or a private home in which a child is left by his parent or guardian for temporary care for a period not exceeding thirty days in any calendar year. Such private home shall keep a register of the name and address of each such child, the name and address of his parent or guardian and the dates of his arrival and departure. Such register shall be available at any time for

the inspection of the commissioner of public welfare or his authorized representative.

Further amend said bill by striking out section 1-a.

Amend the original section 6 by renumbering the same and by striking out said section and inserting in place thereof the following:

7. *Takes Effect.* Section 1 of this act, relative to period of coverage under the unemployment compensation law, shall take effect as of January 1, 1954. The remaining sections of this act shall take effect upon the passage of this act.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to unemployment compensation and to child-caring agencies.

JOSEPH D. VAUGHN
ELEANORA C. NUTTER
GEORGE W. ANGUS
Conferees on part of the House

CHARLES T. DURELL
FREDERICK W. FLETCHER
Conferees on part of the Senate

The question being on agreeing to the report.

On motion of Mr. Angus of Claremont the House agreed to the report.

Report of Committee on Engrossed Bills

Mrs. Hundley of Portsmouth for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled Senate and House Bills:

Senate Bill No. 13, An Act relative to salaries of judges of probate and to annual reports of county officials.

House Bill No. 136, An Act relative to forest conservation and taxation.

House Bill No. 218, An Act relative to salaries of court stenographers.

The report was accepted.

Mr. Hyde of Andover for the Committee on Engrossed Bills to whom was referred House Bill No. 285, An Act relative

to labor disputes and unemployment compensation. Having considered the same, reported the same under Joint rule 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to labor disputes and unemployment compensation, duties of director of personnel, and to motor vehicle violations.

On motion of Mr. Angus of Claremont the House adopted the amendments proposed by the committee on engrossed bill.

The bill was then sent to the Senate for concurrence in the amendment.

Taken from the Table

Mr. Pillsbury of Manchester moved that the resolution relative to final adjournment be taken from the table.

The question being on the motion.

(Discussion Ensued)

Mr. Pillsbury of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Pillsbury of Manchester offered the following amendment:

Whereas, it appears that all necessary legislative work may be accomplished by Friday, June 19, next, therefore be it

Resolved, by the House of Representatives, the Senate concurring,

That the present session of the Legislature be brought to final adjournment on Friday, June 19, next, at 3:01 o'clock in the afternoon.

Be It Further Resolved, That on that date all reports, bills and joint resolutions, with the exception of those such as have been referred to the Legislative Council, Judicial Council and the next legislature, be indefinitely postponed.

On a *viva voce* vote the resolution was adopted and sent to the Senate for concurrence.

Resolution

Mr. Youmans of Warner offered the following resolution:

Resolved, That the Superintendent of State Buildings and Grounds be instructed to have an estimate made on the costs

of repairing, the seats or replacing them, in Representatives Hall, and be it further

Resolved, That said Superintendent report his findings to the next session of the Legislature.

On a *viva voce* vote the resolution was adopted.

Recess

After Recess

Committee of Conference Report

The Committee of Conference to whom was referred House Bill No. 434 having considered the same, report the same with the following recommendation:

That the House recede from its position of non-concurrences in the amendments adopted by the Senate with the exception of new section 9 of said amendments and concur with the Senate in the adoption of said amendments to said bill.

That the Senate recede from its position in adopting the section numbered 9. The Committee further recommends that the Senate and House adopt the following amendment in place of the proposed section 9.

9. *State Hospital Bakery.* From the balance of the appropriation for the new bakery at the state hospital provided by chapter 254, of the Laws of 1951, the sum of eight thousand dollars ($8,000.) shall be available until July 1, 1956 for alterations to the present bakery at the state hospital and for equipment for the same. The balance of said appropriation provided by said chapter 254, shall lapse as of the date of passage of this act.

NATHANIEL F. DAVIS
FORREST W. HODGDON
STANLEY J. BETLEY
Conferees on the part of The House

JESSIE R. ROWELL
OTTO G. KELLER
Conferees on the part of The Senate.

The report was accepted.

Mr. Davis of Hopkinton moved that the House agree to the report.

On a *viva voce* vote the report was agreed to.

Committee of Conference Report

The Committee of Conference to whom was referred House Bill No. 377, entitled An Act making an appropriation for capital improvements and long term repairs for the state of New Hampshire, having considered the same report the same with the recommendation that the Senate recede from its position in adopting its amendments to said bill, that the House recede from its position of noncurrence in the said amendments and that the House and Senate adopt the following amendments to the bill:

Amend section 1 of the bill by striking out and inserting in place thereof the following:

1. *Appropriation.* The sum of one million six hundred seventy thousand two hundred and twenty-three dollars ($1,670,223) is hereby appropriated for the purpose of capital improvements and long term repairs, which purpose includes such related improvements, facilities, equipment and furnishings as are necessary to complete the same, as hereinafter set forth.

Amend paragraph IV of section 2 as follows; by striking out the words and figures "Laundry alterations 35,000.; by striking out the words and figures "Freezer locker 8,000."; by striking out the figure "724,730" and inserting in place thereof the figure $681,730.

Amend paragraph VI of section 2 as follows; by striking out the words and figures "Central bakery-commissary 70,000."; by striking out the figure "149,220." and inserting in place thereof the figure $79,220.

Amend paragraph IX of section 2 as follows; by striking out the words and figures "Auditorium-gymnasium 300,000." and inserting in place thereof the words and figures Auditorium-gymnasium $337,500.; by striking out the figures "431,500." and inserting in place thereof the figures $469,000.

Further amend section 2 by striking out after paragraph XII the words and figures "Total $1,745,723." and inserting in place thereof the words and figures, TOTAL $1,670,223.

Amend section 4 of the bill by striking out the same and inserting in place thereof the following:

4. *Funds Provided.* For the purposes of this act one million six hundred seventy thousand two hundred twenty-

three dollars ($1,670,223) is hereby raised as hereafter provided.

Amend section 5 of the bill by striking out the same and inserting in place thereof the following:

5. *Borrowing Power.* The state treasurer is hereby authorized under the direction of the governor and council to borrow upon the credit of the state not exceeding the sum of one million six hundred seventy thousand two hundred twenty-three dollars ($1,670,223) for the purpose of carrying into effect the provisions of this act and for that purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire. The governor and council shall determine the form of such bonds or notes, their rate of interest, the dates when interest shall be paid, the dates of maturities, the places where principal and interest shall be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

Amend section 9 of the bill by striking out the same and inserting in place thereof the following:

9. *Short Term Notes.* Prior to the issuance of the bonds and notes hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no one time shall the indebtedness of the state on such short term loans exceed the sum of one million six hundred seventy thousand two hundred and twenty-three dollars ($1,670,223.).

Amend said bill by inserting after section 11, the following new section:

12. *State Sanatorium.* Amend paragraph IV of section 1 of chapter 254 of the Laws of 1951 by striking out the words and figures "Pasteurization $10,000" and by striking out the words and figures "Sand filter and chlorination $10,000." and inserting in place thereof the words and figures, Alteration to milk room, Water and sewerage systems $20,000. The appropriation for the state sanatorium provided in said paragraph IV shall not lapse but shall be available for expenditure for the purposes herein specified until June 30, 1955.

Further amend the bill by renumbering section "12" to read section 13.

NATHANIEL F. DAVIS
FORREST W. HODGDON
STANLEY J. BETLEY
Conferees on the part of the House

JESSIE R. ROWELL
OTTO G. KELLER
Conferees on the part of the Senate

The report was accepted.

Mr. McMeekin of Haverhill moved that the House agree to the report.

On a *viva voce* vote the report was agreed to.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

Afternoon

The House was immediately called to order in afternoon session.

Mr. Spaulding of Hudson moved that when the House adjourns today it be to meet Friday morning, June 19, at 11:00 o'clock and that it adjourn in tribute to the Member from Goffstown, Mr. Reed for his services as Chaplain.

The question being on the motion.

(Discussion Ensued)

Mr. Baron of Claremont spoke in favor of the motion.

On a *viva voce* vote the resolution was adopted.

On motion of Mrs. Christiansen of Berlin at 5:12 o'clock the House adjourned.

FRIDAY, JUNE 19, 1953

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God, we thank Thee that it has been our privilege to labor together here in the interest of our Commonwealth. And now that we approach the end of this task that was assigned

us, and we return to our several homes and different interests; help us, our Father, to carry with us the pleasure and the inspiration of this period of friendship — of agreement and disagreement with one another — back to our homes; and may the ties we have made here last as long as life itself. And wilt Thou, O God use the accomplishments of our efforts during the past months to the good of our State in the years to come? We sincerely thank Thee for this privilege of service, and above all for the fact that we live in a country where we can disagree and still pray together. In the name of Jesus Christ. *Amen.*

Leaves of Absence

Messrs. Spofford and Belletete of Jaffrey and Geisel of Manchester were granted leave of absence for the day on account of important business.

Report of Committee on Engrossed Bills

Mrs. Corliss of Manchester for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Bills:

House Bill No. 285, An Act relative to labor disputes and unemployment compensation, duties of director of personnel, and to motor vehicle violations.

House Bill No. 432, An Act relative to unemployment compensation and to child-caring agencies.

House Bill No. 434, An Act providing for supplemental appropriations for state institutions.

The report was accepted.

Committee of Conference Report

The Committee of Conference to whom was referred House Bill No. 7, An Act providing for salaries of unclassified state officials, and establishing certain position, having considered the same report the same with the following recommendation:

That the House recede from its position of non-concurrence to the amendments to said bill adopted by the Senate and concur in the adoption of said amendments with the exception of salary ranges for the following officials; Assistant state librarian, Business supervisor, Deputy director of personnel, Deputy secretary of state, Director division of employment security, Di-

rector of personnel, Director of Veterans Council, Labor commissioner, Liquor commissioners, Public utilities commissioners, Secretary of state, State forester, State treasurer and Warden, State prison, and the amendment to section 17.

That the Senate recede from its position in adopting its amendments relative to salary ranges for the above named positions and its amendment to section 17 of the bill. That the Senate and House adopt the following amendments to section 1 of said bill relative to said salary ranges:

	by striking out		and by inserting	
Asst. state librarian	4,500	5,175	5,000	5,750
Business supervisor	6,000	6,900	6,500	7,475
Deputy, director of personnel	5,500	6,325	6,000	6,900
Deputy secretary of state	6,500	7,475	6,000	6,900
Director, Division of employment security	7,000	8,050	7,500	8,625
Director of personnel	6,500	7,475	7,000	8,050
Director, veterans council	4,500	5,175	4,000	4,600
Labor commissioner	6,000	6,900	6,500	7,475
Liquor commissioners (3)	7,500	8,625	7,000	8,050
Public utilities commissioners (3)	8,500	9,775	8,000	9,020
Secretary of state	7,500	8,625	7,000	8,050
State forester	6,500	7,475	7,000	8,050
State treasurer	7,500	8,625	7,000	8,050
Warden, state prison	7,000	8,050	6,500	7,475

and that the Senate and House adopt the following amendment to section 17:

Amend section 17 by striking out the entire section and inserting in place thereof the following:

17. *Appropriation.* The sum of sixty-five thousand dollars ($65,000.) or so much as may be necessary, for the fiscal year ending June 30, 1954, and the sum of eighty-six thousand dollars ($86,000.) or so much as may be necessary, for the fiscal year ending June 30, 1955, are hereby appropriated to provide the funds for salary increases provided for herein. The comptroller is hereby authorized to determine what part of the said appropriations hereunder shall be a charge upon the highway funds, federal funds and fish and game funds, respectively and the balance of said appropriations shall be a charge upon the general funds.

JOHN PILLSBURY
SUZANNE LOIZEAUX
WILLIAM P. BARON
Conferees on the part of the House

CURTIS C. CUMMINGS
MAURICE A. JONES
Conferees on the part of the Senate

The report was accepted.

Mr. Pillsbury of Manchester moved that the House agree to the report.

On a *viva voce* vote the report was agreed to.

Excused from Voting

Mr. Wells of Newton was excused from voting on the question of agreeing to the Committee of Conference on House Bill No. 7, under rule 17.

Concurrent Resolution

Mr. Brown of Laconia offered the following concurrent resolution:

Whereas, The use of airplanes by certain state departments and agencies has been highly advantageous in many other states and has effected considerable savings to these states, Now therefore be it

Resolved by the House of Representatives, the Senate concurring, That the Governor be requested to appoint a committee of five to serve without compensation to make a study of the feasability and economy of operation of aircraft by certain state departments. Said committee shall consist of the State Director of Aeronautics, one member of the State Aeronautics Commission, one member of the New Hampshire Aviation Trades Association and two citizens of the state not connected with Aeronautics. The Committee shall report their findings to the 1955 Legislature not later than January 15, 1955.

On a *viva voce* vote the concurrent resolution was adopted.

Resolution

Mr. Foote of Portsmouth offered the following resolution:

Resolved, That the Clerk be instructed to mail to mem-

bers copies of the Journal and other legislative matters not received on closing day.

On a *viva voce* vote the resolution was adopted.

Mr. Wadleigh of Milford offered the following resolution:

Resolved, That the Committee on Engrossed Bills be complimented on the efficient completion of their strenuous duties; and that the Secretary of State and his staff be also complimented on their speedy and careful handling of those important matters so necessary to satisfactorily close this 1953 session.

On a *viva voce* vote the resolution was adopted.

Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that:

The Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 377, An Act making an appropriation for capital improvements and long term repairs for the State of New Hampshire.

Amend section 6 of said bill by striking out the same and inserting in place thereof the following:

6. *Payments.* The payments of principal and interest on bonds or notes issued hereunder shall be made when due from the general fund.

On motion of Mr. McMeekin of Haverhill the House concurred in the adoption of the amendments proposed by the committee on engrossed bill.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that:

The Senate had voted to concur with the House of Represenatatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill and joint resolutions:

House Bill No. 285, An Act relative to labor disputes and unemployment compensation; duties of Director of Personnel, and to motor vehicle violations.

The message also announced that, the Senate had voted to adopt the reports of the Committees of Conference on the following entitled bills:

House Bill No. 7 (in new draft), An Act providing for salaries of unclassified state officials, and establishing certain positions.

House Bill No. 377, An Act making an appropriation for capital improvements and long term repairs for the State of New Hampshire.

House Bill 434, An Act to provide for a central commissary bakery at the state prison.

Recess

After Recess

Report of Committee on Engrossed Bills

Mr. Hyde of Andover for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled Senate and House Bills:

Senate Bill No. 21, An Act to legalize a Pittsfield bond issue, action by the Belknap county convention, meeting of the Lower Bartlett Water Precinct, a precinct meeting in the town of Haverhill, and to provide for an interim commission to recommend reorganization of tax structure.

Senate Bill No. 77, An Act relative to child labor.

House Bill No. 377, An Act making an appropriation for capital improvements and long term repairs for the state of New Hampshire.

The report was accepted.

Senate Message

A message sent down from the Honorable Senate, by its clerk, announced that:

The Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 7 (in New Draft), An Act providing for salaries of unclassified state officials, and establishing certain positions.

Amend said bill by striking out section 14 and by renum-

bering sections 15, 16, 17 and 18 to read: 14, 15, 16 and 17.

On motion of Mr. McMeekin of Haverhill the House concurred in the adoption of the amendments proposed by the committee on engrossed bills.

The bill was then sent to the Secretary of State to be engrossed.

Concurrent Resolution

Mr. Wadleigh of Milford offered the following curcurrent resolution:

Resolved, by the House of Representatives, the Senate concurring, That a committee of ten be appointed to join with such committee as the Senate may designate to wait upon His Excellency, the Governor, and inform him that the Legislature has completed the business of the session and is ready to be adjourned and to receive any communication which he may be pleased to make.

On a *viva voce* vote the resolution was adopted.

The Speaker appointed as members of such committee on the part of the House:

Mr. Wadleigh of Milford, Mrs. Cooper of Nashua, Messrs. Holden of Hanover, Moore of Bradford, Cole of Lebanon, Sherwin of Rindge, Griffin of Lincoln, Mrs. Hundley of Portsmouth, Mrs. St. Pierre of Rochester, and Mr. Baron of Claremont.

Resolution

Mr. Baron of Claremont offered the following resolution:

Whereas, The silver service of the battleship U.S.S. New Hampshire is now in storage, and

Whereas, The general public has not had an opportunity to view this service, therefore be it

Resolved, That representative pieces of this silver service be on display in a suitable place in the State House, the specific location to be determined by the Governor and Council.

The question being on the resolution.

(Discussion Ensued)

Messrs. Baron of Claremont, and Metcalf of Tilton spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

Senate Message

A message sent down from the Honorable Senate by its clerk, announced that, the Senate concured with the House of Representatives in the passage of the following entitled bill, with amendmens, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 405, An Act relative to compensation of legislative attaches and others; duties of tax commission, Connecticut River flood control; legislative budget assistant; state flag and forestry division.

Amend section 1 of said bill by striking out the figure "7" in the fifth and ninth lines and inserting in place thereof the figure, 9, so that said section as amended shall read as follows:

1. *Legislature.* Amend section 23 of chapter 9 of the Revised Laws, as amended by section 1, chapter 89 of the Laws of 1945, section 1, chapter 271 of the Laws of 1947 and section 1, chapter 2 of the Laws of 1953 by striking out the figures "6.50" and inserting in place thereof the figures, 7.50; by striking out the figure "6" and inserting in place thereof the figure, 9; and by striking out the figure "5" and inserting in place thereof the figure, 6, so that said section as amended shall read as follows: 23. *Attaches.* The compensation of the following attaches of the senate and house of representatives shall be sergeant-at-arms, $7.50 a day; custodian of mails and supplies, $9 a day; messengers, assistant messengers, telephone messengers, library messengers, doorkeepers, wardens and assistant wardens, pages and chaplain, $6 a day; each for six days a week.

Amend section 2 of the bill by striking out in the eighth line the word "fourteen" and inserting in place thereof the word, thirteen; by striking out in the eighth line the word "seven" and inserting in place thereof the word, eight; by striking out in the tenth line the word "nine" and inserting in place thereof the word, ten, and by striking out in the eleventh line the word "thirteen" and inserting in place thereof the word, twelve, so that said section as amended shall read as follows:

2. *Stenographers.* Amend section 23-a of chapter 9 of the Revised Laws as inserted by section 1, chapter 1, of the Laws of 1947 and amended by section 2 of chapter 85 of the Laws of 1951 by striking out said section and inserting in place thereof the following: 23-a. *Legislative Service Assistants.*

The compensation of the legislative service assistants of the senate and house of representatives shall be as follows: For the Chief Assistant ten dollars a day, provided, that for every five regular sessions of service, an additional one dollar a day shall be added until a maximum of thirteen dollars a day; for other assistants eight dollars a day for the first session of service and fifty cents a day additional for each succeeding session of service until a maximum of ten dollars a day, provided, that for every five regular sessions of service, an additional one dollar a day shall be added until a maximum of twelve dollars a day; each for six days a week.

Amend section 3 of the bill by striking out in the third line the word "seven" and inserting in place thereof the word, eight, and by striking out in the fifth line the word "nine" and inserting in place thereof the word, ten, so that said section as amended shall read as follows:

3. *Mileage Clerk.* Further amend said chapter 9 by inserting a new section after section 23-b as follows: 23-c. *Mileeage Clerk.* The compensation of the mileage clerk of the house of representatives shall be as follows: eight dollars a day for the first session of service and fifty cents a day additional for each succeeding session of service until a maximum of ten dollars a day, for six days a week.

Amend the title of the bill by adding after the words "forestry division" the following: Reimbursement for Mileage, City of Laconia, Refund, Classified state employees.

Amend section 8 of said bill by striking out the same and inserting in place thereof the following:

8. *Legislative Budget Assistant.* In addition to appropriations heretofore made for the office of the legislative budget assistant there in hereby appropriated the sum of sixty-five hundred dollars ($6,500.) for the fiscal year ending June 30, 1954 and the sum of thirty-three hundred dollars ($3,300.) for the fiscal year ending June 30, 1955, for the employment of additional clerical assistance in the office of the legislative budget assistant, which funds shall not lapse. Said budget assistant may assign to the legislative council such clerical assistance as may be available. Employees employed by said budget assistant under this section or under section 37, of chapter 9 of the Revised Laws shall not be governed by the provisions of the personnel law.

Amend the bill by inserting after section 9 the following new section:

10. *Reimbursement for Mileage.* The resolution passed at the present session of the legislature providing for an interim commission to study the various phases of nursing, and a committee of five members to study automobile liability insurance laws, are hereby amended to provide that the members shall be entitled to be reimbursed for actual travel on business of the respective commission or committee at the legislative rate. The governor is authorized to draw his warrant for payment of said travel out of any money in the treasury not otherwise appropriated.

11. *Endicott Rock Park.* Amend section 5 of chapter 219 of the Laws of 1951 by striking out the same and inserting in place thereof the following: 5. *Funds.* The money received by the state for said park shall be placed in a special fund. Said fund shall be expended by the recreation division of the forestry and recreation commission for the improvement of Weirs Beach prior to July 1, 1955. Plans for said expenditures shall be approved by the mayor and city council of the city of Laconia.

12. *Classified State Employees.* Amend section 2 of chapter 211, of the Laws of 1953 by adding a new paragraph as follows:

c. To the annual salary of those law enforcement employees regularly working forty-eight hours or more per week shall be added compensation equivalent to four hours per week or two hundred eight hours per year. Law enforcement employees shall include state police, troopers, motor vehicle inspectors, liquor investigators and conservation officers.

13. *House Clerk.*

Amend section 19 of chapter 9 of the Revised Laws as amended by section 1 of Chapter 85 of the laws of 1951 by striking out the words "four hundred twenty-five" in the third and fourth lines and inserting in place thereof the words, five hundred, so that said section as amended shall read as follows:

19. *House Clerk.* The compensation of the clerk of the house shall be one hundred dollars a week for each six-day week of any regular session together with five hundred dollars when he files with the secretary of state a printed copy of his journal and seventy-five dollars for attendance according to

law at the opening of each session. Said sums shall be in full for service performed at such regular session.

Further amend said bill by striking out the original section 10, renumbering and inserting in place thereof the following:

14. *Takes Effect.* The provisions of sections 1, 2, 3, and 13 shall take effect as of January 7, 1953. The remaining sections of this act shall take effect upon the passage of this act.

On motion of Mr. Tilton of Laconia, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Joint Resolution No. 58, Joint Resolution in favor of Lloyd E. Fogg and others.

Amend said Joint Resolution by striking out in the ninth line the figures "1,731" and inserting in place thereof the figures, 1,743; by striking out in the tenth line the figures "1,151" and inserting in place thereof the figures, 1,293; by striking out in the eleventh line the figures "1,057" and inserting in place thereof the figures, 1,205; by striking out in the twelfth line the figures "966" and inserting in place thereof the figures, 1,104; by striking out in the thirteenth line the figures "1,582" and inserting in place thereof the figures, 1,725, by striking out in the fourteenth line the figures "1,489" and inserting in place thereof the figures, 1,769; by striking out in the fifteenth line the figures "1,166.50" and inserting in place thereof the figures, 1,309.50; by striking out in the fifteenth line the figures "1,248.50" and inserting in place thereof the figures, 1,393.50; by striking out in the sixteenth line the figures "1,057" and inserting in place thereof the figures, 1,347; and by striking out in the thirty-fourth line the figures "995.96" and inserting in place thereof the figures, 1,045.80 so that said section as amended shall read as follows:

Lloyd E. Fogg, sergeant-at-arms of the house be allowed the sum of $1,087.50; that John S. Ball, sergenat-at-arms of the senate, be allowed the sum of $1,110.00; that Robert L. Stark,

clerk of the house, be allowed the sum of $2,400; that Benjamin F. Greer, clerk of the senate, be allowed the sum of $2,280; that Francis W. Tolman, assistant clerk of the house, be allowed the sum of $2,280; that Frank M. Ayer, assistant clerk of the senate, be allowed the sum of $1,920; that Alice V. Flanders, house legislative service assistant, be allowed the sum of $1,995; that Esther T. Hurd, senate legislative service assistant, be allowed the sum of $1,440; that Marion C. Colby, house legislative service assistant, be allowed the sum of $1,743; that Margaret L. Ford, house legislative service assistant, be allowed the sum of $1,293; that Eileen H. Herman, senate legislative service assistant, be allowed the sum of $1,205; that Katherine C. Nelson, senate legislative service assistant, be allowed the sum of $1,104; that Helen Y. Andrews, judiciary legislative service assistant, be allowed the sum of $1,725; that Eleanor C. Brown, appropriations legislative service assistant, be allowed the sum of $1,769; that Helene H. Wester, speaker's legislative service assistant, be allowed the sum of $1,309.50; that Alice P. Boutwell, mileage clerk, be allowed the sum of $1,393.50; that Roland F. Fuller, custodian of mail and supplies, be allowed the sum of $1,347; that Sherman L. Greer, Mabel L. Richardson, Frank B. Clarke and Bertha E. Boutwell, doorkeepers of the house, each be allowed the sum of $852; that Oney Russell, warden of the coat room be allowed the sum of $862; that John W. Todd, assistant warden of the coat room of the house, be allowed the sum of $852; that Randolph H. Milligan, assistant warden of the coat room of the house, be allowed the sum of $852; that Carl E. Wallace. library messenger of the house, be allowed the sum of $852; that Clarence A. DuBois, telephone messenger of the house, be allowed the sum of $657.50; that Rene Dufort, messenger of the senate, be allowed the sum of $862; that George F. Martin, assistant messenger of the senate, be allowed the sum of $810; that William J. Clough, speaker's page, be allowed the sum of $852; that James Martin, page, be allowed the sum of $900; that H. Furber Jewett, page, be allowed the sum of $852; that George J. Heon, page, be allowed the sum of $862; that Lucie Weston, page, be allowed the sum of $852; that Joseph W. Means, clerks' messenger, be allowed the sum of $828; that Palmer C. Read, judiciary messenger, be allowed the sum of $874; that Eugene C. Williams, appropriations messenger, be allowed the sum of $863; that J. Russell Bickford, be allowed the sum of

$180; that Ruth MacPherson, stenographer, be allowed the sum of $594; that George R. Grant, legislative advisor to the executive department, be allowed the sum of $5,065.50; that the superintendent of state buildings and grounds be allowed the sum of $1,045.80; for extra janitor service.

The above mentioned sums shall be a charge upon the legislative appropriation.

On motion of Mr. Tilton of Laconia the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that, the Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolutions:

Whereas, the use of airplanes by certain state departments and agencies has been highly advantageous in many other states and has effected considerable savings to these states, Now therefore be it

Resolved by the House of Representatives, the Senate concurring, That the Governor be requested to appoint a committee of five to serve without compensation to make a study of the feasability and economy of operation of aircraft by certain state departments. Said committee shall consist of the State Director of Aeronautics, one member of the State Aeronautics Commission, one member of the New Hampshire Aviation Trades Association and two citizens of the state not connected with Aeronautics. The Committee shall report their findings to the 1955 Legislature not later than January 15, 1955.

The message also announced that, the Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolutions:

Concurrent Resolution

Resolved, by the Senate, the House of Representatives concurring:

That the Legislative Council be directed to study the problem of salaries or compensation of attaches; legislative service assistants or other employees of the Legislature, excluding the office of the Legislative Budget Assistant, and mem-

bers of the General Court. Said Council shall report to the 1955 Legislature its findings and recommendations.

On motion of Mr. Crandall of Dover the House concurred in the adoption of the amendments sent down from the Honorable Senate.

Appointments

The Speaker announces that by a letter dated June 19th, 1953 the Governor advises the following appointments to the Legislative Council; Richard F. Upton, Concord, New Hampshire, William S. Green of Manchester and Edward J. Gallagher of Laconia, and also of the appointment by the Governor to the Tri-State Commission the following members of the General Court: Pillsbury of Manchester from the House of Representatives and from the Senate, Jones of Dover.

The Chair announces the following appointments on the part of the House to the Legislative Council: Ferguson of Pittsfield, Studley of Rochester, Loizeaux of Plymouth, Scamman of Stratham, Dort of Chesterfield, Frizzell of Charlestown, Barry of Wilton, Sheridan of Berlin, Martel of Manchester.

The Chair makes the following appointment to the Tri-State Commission: Millar of Claremont and Malley of Somersworth.

The Chair announces the following appointments to the Interim Commission on the study for the Various Phases of Nursing: Roe of Newport and Hyde of Andover.

Indefinitely Postponed

In accordance with the resolution that all bills and joint resolutions pending in either branch on Friday, June 19th, at 3:01 o'clock, be indefinitely postponed, the following entitled bills and joint resolutions were indefinitely postponed.

House Bill No. 93, An Act relating to the classification of Ammonoosuc River and its tributaries.

House Bill No. 222, An Act to make superintendents employees of supervisory unions rather than employees of the state and to repeal the state per capita tax on school districts.

House Bill No. 271, An Act relating to the expense of educating in the public schools children who are state wards.

House Bill No. 427, An Act relative to consolidation and improvement of the system of higher education in the state.

House Bill No. 230, An Act relating to Umbagog Lake open to all ice fishing.

House Bill No. 310, An Act authorizing the city of Somersworth to issue bonds for schol purposes.

House Bill No. 384, An Act relative to use of fees to board of nurse examiners.

House Joint Resolution No. 15, Joint Resolution continuing the lobster fund.

House Joint Resolution No. 20, Joint Resolution relating to George A. Colbath.

House Bill No. 409, An Act relative to affidavits by absentee voters.

Senate Bill No. 10, An Act relating to utility rates in effect under bond.

House Bill No. 288, An Act relative to salaries of certain officials of the city of Nashua.

House Bill No. 163, An Act relating to the determination of adjusted valuation for school aid purposes.

Joint Resolution No. 53, Joint Resolution relative to longevity for state employees and officials.

House Bill No. 382, An Act providing for absentee voting at primaries.

Senate Message

A message sent down from the Honorable Senate by its Clerk announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolutions:

Resolved, By the House of Representatives, the Senate concurring, that a committee of ten be appointed to join with such committee as the Senate may designate to wait upon His Excellency the Governor, and inform him that the Legislature has completed the business of the session and is ready to receive any communication he may be pleased to make, and the President has appointed as members of such committee on the part of the Senate: Senator Knox of District No. 4, Senator Kendall of District No. 10, Senator Packard of District No. 16, Senator Adams of District No. 22, Senator Graves of District No. 23, Senator Paquette of District No. 13 and Senator Daniel of District No. 19.

(Mr. Spaulding in Chair)

Report of Committee on Engrossed Bills

Mrs. Landers of Keene for the Committee on Engrossed Bills examined and found correctly engrossed the following entitled House Bills — House Joint Resolution:

House Bill No. 7, An Act providing for salaries of unclassified state officials, and establishing certain positions.

House Bill No. 405, An Act relative to compensation of legislative attaches and others, duties of tax commission, Connecticut River Flood Control, legislative budget assistant, state flag and forestry division, reimbursement for mileage, Weirs Beach, classified state employees.

House Joint Resolution No. 58, Joint Resolution in favor of Lloyd R. Fogg and others.

The report was accepted.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

(Speaker in Chair)

Afternoon

The House was called to order in afternoon session.

Mr. Wadleigh of Milford for the Committee appointed to wait upon His Excellency, the Governor, and inform him that the legislature has completed its duties, reports that they have attended to their duties.

The report was accepted, and His Excellency Hugh Gregg, then came in and delivered the following message:

Mr. Speaker and Members of the House of Representatives:

It has become the custom in proroguing the General Court for the Governor to take a few moments to review the session just past and to attempt to point out what has been achieved.

To me, as it must be to all of the members, veterans and freshmen alike, it is a source of real satisfaction that so much work has been done in an atmosphere notably free from intense partisanship and friction. For any legislative body, as big as our General Court, to study, debate and take action on over 540 bills and to accomplish the result in 72 legislative days is a splendid achievement. The entire membership is to be congratulated, and I hereby express my own sincere appreciation

for your unstinted efforts to accomplish your work in as short a time as was reasonably possible.

It is my belief that by aggressively and intelligently developing our agriculture, industry and recreation we can provide essential services without any new broad-based taxes for the next two years. Upon that assumption I urged for the biennium the re-enactment of the head tax (modified to achieve more efficient collections) and accordingly, submitted the Budget. I appreciate that it is an unsatisfactory tax, but it has the advantage of affording a known return based upon experience from which you can work out the spending requirements.

I am especially pleased and grateful that you provided a citizens tax committee to study the tax structure of New Hampshire and its political subdivisions. I sincerely believe that a fresh approach to a chronic problem will not only suggest effective answers, but it will also bring prestige, public understanding and support to the results. This study is not designed as an indirect approach for any new tax; and it should help to avoid these heated, recurring disputes on piece-meal tax legislation.

The budget is in balance. I fully appreciate your efforts in achieving this result, because it came from matching the limits of our financial resources with the ever-increasing re quirements of our social obligations. Enlightened compromise is the measure of political maturity. I am convinced that you have solved a difficult problem to the credit of yourselves and the benefit of the State.

To review in detail the bills enacted would serve no purpose at this late hour. Furthermore, to mention some, and then through inadvertance not to mention others, would give unintended emphasis. Nevertheless, some of the many constructive measures deserve mention.

It is generally accepted that this session did more for New Hampshire education than has been done during recent years. In supporting my request for $1,800,000.00 in State aid to education, you increased by fifty percent the amount appropriated in the previous biennium. Furthermore, you defined superintendents' unions; provided scholarships at the teachers' colleges; added needed buildings for these colleges; and improved the cooperative school district law.

You also made available for the University of New Hampshire those additional funds which were needed for maintaining the efficiency of our truly fine institutions. In preserving the

so-called millage formula, you recognized the need for the University to have an assurance — within reasonable limits — of a basic income with which to operate. In other educational fields you wisely provided for educational T.V. studies, thereby preserving those educational T.V. channels for New Hampshire which are presently allocated by the Federal Communications Commission.

You provided increases in workmen's compensation benefits. These increases, of course, do not provide final answers, but they are progressive, honest efforts to solve an industrial and social problem. It is also significant that industry generally supported these increases. Unemployment compensation benefits have been extended, along with 15 other amendments to the law which will increase the efficiency of its administration, benefiting both employees and employers.

The cost of the timber tax is a serious drain upon State revenues. Your determination to allow this measure to continue for the biennium in order to establish its conservation value is an example of legislative self-control. You have wisely determined to continue the law as an alternative to possibly short-sighted, ill-considered repeal before it has been thoroughly tested. Also, in the field of conservation, you have classified hundreds of miles of rivers and streams, thus enabling our citizens in affected areas to have a program of clean water for the further development of recreation and industry.

Law enforcement on our highways has been carefully reviewed. Four additional State troopers have been added for each year of the coming biennium. Two motor vehicle safety inspectors have been added in the interests of our younger citizens. The penalty for hit and run offenses has been increased. The efficiency of the Motor Vehicle Department has been improved by the purchase of new equipment, tremendously reducing the number of departmental forms and saving expense in supplies. The convenience of motorists has been well served by the two-year basis of license renewals with attendant efficiencies and economies.

Until now the tragic increase of domestic relation cases in our Superior Court has been the responsibility of an understaffed Probation Department. To correct this situation, you saw fit to add four new probation officers whose enforcement activities will both reduce welfare costs and bring more irresponsible people to their obligations.

Your response to my request for an increase in the budget for the Planning and Development Commission is greatly appreciated. This Commission, with the enthusiastic cooperation of This is New Hampshire, Incorporated, now has a spendid opportunity to utilize the generosity and enthusiasm of private groups to the utmost. Other states, for a number of years, have been aware of the advantages obtained by aggressively setting forth their own natural advantages. I am convinced that New Hampshire with so much more to offer than any other state, should seize every opportunity to improve our competitive position. To do otherwise is sheer folly! We must realize that the competition among the states is intense.

Promotion is a necessary ingredient of "selling" New Hampshire. A certain amount of good natured, self-advertising is an inexpensive and effective way of obtaining publicity. I refer specifically to the Whooper Week and the Whooper Grille. This is a program which I respectfully suggest should be encouraged as an annual occurrance. I wish personally to thank the members of the General Court and the attaches who worked so diligently and effectively in making our first program such a success.

You have appreciated the obvious inequities of the salaries paid to our State employees. You, therefore, increased their wages to bring them in line with the salaries paid for similar positions in comparable states. For a number of years, our State officials. generally speaking, received smaller salaries, job for job, than the salaries offered elsewhere. In order to attract and retain competent, efficient State officials, it was necessary to increase salaries, and I think that your efforts to do so have been entirely commendable.

In addition, you have reduced the excessively long work hours of some jobs and brought them more nearly in line with present day concepts of a normal work week. Private industry can no longer expect people to work a 51-hour week, and there is no reason why the State of New Hampshire should expect more of its employees.

In this era of intense regional competition, superior roads are not a luxury or even a convenience to our citizens, but rather are an essential, economic requirement for our entire population. We must have super highways now. They cost money. They must pay for themselves. Our two new toll-road projects will be built now and will pay for themselves. How,

otherwise, could we so speedily have provided avenues for increased wealth into our State?

You have recognized the needs of those unfortunate persons who, through no fault of their own, are the responsibility of the State. Substantial funds have been appropriated to make possible long overdue repairs to our institutional buildings. More important, numerous positions have been established, especially at the State Hospital and the Laconia State School, to provide for the improved care and safety of the patients.

In the early days of this session, I made it undeniably clear that I would adhere to the separation of powers and functions between the administrative and legislative branches of our government. This is a concept that must be jealously guarded; and it is one that I tried conscientiously to adopt and follow. It is, therefore, with deep concern that I hear this session criticized as either "do nothing" or "spendthrift." Obviously, it could not have been both, and I am certain that it was neither. Our stated opinions will have scant effect upon history. Yet, I am convinced that the record of this session will compare very favorably with any of its predecessors. The test of any legislative body is reflected in its response to the needs and the desires of the people it represents. When 424 persons, from all over the State, come to Concord for six months representing almost every community, who can intelligently say that the results of their deliberations have not reflected the will of New Hampshire citizens?

Over 540 bills have been presented to the General Court and have been seriously and conscientiously considered. Any inference that alleged secret, insidious influences have controlled the legislature is an affront and an ill-considered insult not only to you, but to the people of New Hampshire. You have served the State faithfully. The record is written not in how many new commissions you have created to impress some groups or how many millions of dollars of essential, vital services you have cut out to appease others; it is written in the hours and days of conscientious study and action on the bills that your own constituents have asked you to introduce. That is the democratic process. I believe that you deserve praise, not editorial repudiation.

The final appraisal of what has been done in the past six months lies not in what we say, but how it works in the future. If no spectacular measures have been enacted, it is perhaps

that none have been called for, and you have had the good New Hampshire sense to appreciate that moderation is a virtue greatly to be prized in this unstable age.

I wish to thank each of you for your courtesy to me and especially for your cooperation with the Governor's office throughout the session. During the next year and a half, I hope you will continue to visit with me individually and keep me advised of your current thinking on the problems affecting our great state.

I have been informed by the Joint Committee of the Senate and House of Representatives that you have completed the business of the session. Therefore, now, by the authority vested in me as Governor, I do hereby declare the General Court of New Hampshire adjourned to the last Wednesday in December in the year of our Lord one thousand nine hundred and fifty-four.

Thanks again and good luck!

Benediction was offered by the chaplain.

By virtue of the proclamation of His Excellency, the Governor, the Chair declared the House of Representatives adjourned at 6:11 o'clock until the last Wednesday of December, 1954.

ROBERT L. STARK,
Clerk.

A true copy, Attest:

ROBERT L. STARK,
Clerk.

Mileage Roll

Mr. Crandall of Dover, for the Committee on Mileage, presented the following report:

Rockingham County

Town	Miles
Atkinson	
Lillian R. Brock	44
Auburn	
Margaret A. Griffin	26
Brentwood	
John H. Dudley	41
Candia	
Mary A. Wastcoat	25
Chester	
Robert C. Hazelton	32
Derry	
Ernest P. Barka	32
Harry E. Clark	32
William B. Cushing	32
Oliver H. Hepworth	32
Epping	
D. Watson Ladd	36
Exeter	
Emory P. Eldredge	45
Edwin W. Eastman (part term)	45
James C. Rathbone	45
Maude B. Richards	45
**Albert R. McReel (part term)	45
Fremont	
Harold L. Jones	36
Greenland	
Thornton N. Weeks, Sr.	53
Hampstead	
Doris M. Spollett	40
Hampton	
Dean B. Merrill	51
Donald A. Ring	51
Hampton Falls	
James H. Thurlow	50

Town	Miles
Kensington	
Charles R. Eastman	47
Kingston	
Irene S. MacDonald	41
Londonderry	
Draper W. Parmenter	29
New Castle	
Thomas F. McCaffrey	51
Newfields	
Thomas R. Sheehy	42
Newington	
John E. Holden	43
Newmarket	
Arthur A. Labranche	39
F. Albert Sewall	39
Newton	
Henry G. Wells	46
North Hampton	
George G. Carter	50
Northwood	
Ernest L. Pinkham	23
Nottingham	
Arthur W. McDaniel	29
Plaistow	
Hans G. Seel	46
Portsmouth	
Ward 1	
Andrew J. Barrett	47
Hilda Hundley	47
Lise L. Payette	47
Ann A. Sadler	47
D. Richard Zoffoli	47
Ward 2	
Harry H. Foote	48
Henry S. Murch, Jr.	48
John H. Yeaton	48

Town	Miles
Ward 3	
James J. Joyce	47
John J. Leary	47
William J. Wardwell	47
Ward 4	
Thurston A. Smart	48
Ward 5	
Edward J. Ingraham	48
Raymond	
Frank J. Mafera	31
Rye	
Manning H. Philbrick	56
Salem	
Walter F. Haigh	43
Anna M. Noyes	43
Leonard B. Peever	43
Seabrook	
Willam H. Durkee	52
Stratham	
W. Douglas Scamman	47
Windham	
Thomas Waterhouse, Jr.	36

Strafford County

Barrington	
Roy V. Swain	31
Dover	
Ward 1	
Raymond H. Chase	40
Thomas H. Keenan	40
Max W. Leighton	40
Ward 2	
Frank J. Grimes	40
Joseph Marcotte, Jr.	40
Ward 3	
Carroll E. Fellows	40
Charles W. Webb	40

Town	Miles
Ward 4	
William H. Connell	40
Harley A. Crandall	40
Charles H. Locke	40
Ward 5	
Emmet J. Flanagan	40
Durham	
Helen C. Funkhouser	36
Albert D. Littlehale	36
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